

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

PROPOSED AMENDMENTS TO THE
SNOWMOBILE RULES
MINNESOTA REGULATIONS
NR 51-59.

Minn. Regs. NR 51(a), 56(d) and 56(e) are amended as follows:

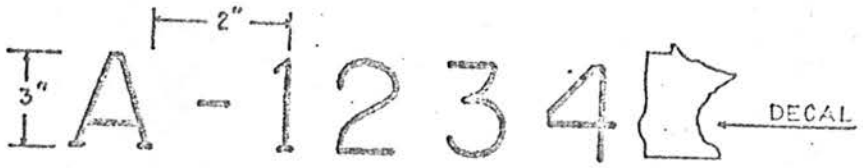
NR 51 REGISTRATION AND DISPLAY OF NUMBERS

(a) Individual Registration

(1) Application for snowmobile registration shall be made to the Commissioner of Natural Resources or his authorized agent on the form prescribed. (See Appendix of Forms, Form A). Registrants must be 18 years of age or older prior to applying for registration of a snowmobile. Upon presentation of a bill of sale in the form prescribed by the Commissioner, (Form B), and payment of the fee required, a snowmobile registration certificate will be issued to the applicant. Registration certificates are valid for a period of three years. A decal showing the expiration date shall be affixed to the machine as illustrated below.

(2) The applicant shall furnish all the information required by the application for snowmobile registration. (Form A).

(3) The [permanent] registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefore in accordance with NR 57(d). On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows:



(4) All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three (3) inches high and 3/8 inch stroke. When any previously [issued] affixed BF registration [sticker] number or decal is destroyed or lost, BF a duplicate [of the registration number previously assigned] shall be affixed in the manner shown above. The [original] registration number [issued by the department is a permanent

number for the life of the machine.] shall remain the same if renewed by July 1 following the expiration date.

(5) No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by NR 51(a), unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, Section 84.82.

[(5)] (6) A duplicate registration certificate will be issued upon application by the owner to the Commissioner on the form prescribed and upon payment of the fee required by law. Replacement registration decals may be obtained from the Department of Natural Resources License Center or any conservation officer.

[(6)] (7) Application for transfer of ownership shall be made to the Commissioner within 15 days of the date of transfer. An "Application for Transfer" form (Form C) is to be executed by the registered owner and the purchaser and submitted together with the fee required by law, the owner's registration certificate and a bill of sale in the form prescribed by the Commissioner (Form B).

BF

[(7)] (8) Abandoned, stolen, or destroyed snowmobiles shall be reported to the Commissioner within (15) days by completing the reverse side of the registration certificate. No fee is charged for the reporting.

NR 56 SNOWMOBILE EDUCATION AND TRAINING PROGRAMS

(d) The fee for enrollment in a training program class is $2.00, payable in advance. A student who fails to pass may take the class over when available, without additional fee. Persons age 18 or over, or [under 12,] (age 11) may be admitted to a class to the extent facilities permit upon payment of the $2.00 fee.

BF BF BF

(e) Upon successful completion of the training program by a student, the instructor will submit the name, address, and date of birth of the student to the snowmobile safety coordinator who will issue to the student, on behalf of the Commissioner, a snowmobile safety certificate. A duplicate certificate will be issued if the original is lost or destroyed, upon application and payment of [$1.00.] ($2.00.) No snowmobile safety certificate shall be issued to any person less than 12 years of age [nor more than 18 years of age, provided, however, that a snowmobile safety certificate may be issued to the] (except to his or her) parents or guardian, [of a person under 12 years of age] to be held by such parent or guardian until the person's twelfth birthday.

BF BF

APPROVED AS TO FORM AND LEGALITY

FEB 6 19 78

WARREN SPANNAUS, ATTORNEY GENERAL

/s/ Michael B. Miller

ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 6 - 1978
Joan Anderson Growe
Secretary of State
3:00 pm

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendments to the Snowmobile Rules, Minn. Rules NR 51 - 59

ORDER ADOPTING RULE

WHEREAS, the Report of the Hearing Examiner concludes that the hearing held on the proposed rules amendments on Ocotber 12, 1977, was properly noticed, and that the Department is authorized by statute to adopt the amendments and that the proposed amendments are, without modification, needed and reasonable,

THEREFORE, pursuant to the authority vested in me by law, I order that subject to approval as to form and execution by the Attorney General, and five (5) working days after publication in the State Register, Minn. Rules NR 51 - 59 are amended as proposed.

Dated November 28, 1977

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

William B. Nye
Commissioner

Registered Nurse									
A.A. Degree or 3 yr Diploma	923	965	1008	1055	1102	1150	1203		
Baccalaureate Degree	965	1008	1055	1102	1150	1203			
Sanitarian I	987	1032	1079	1126					
Sanitarian II	1079	1126	1177	1232	1290	1348	1409	1472	
Sanitarian III	1177	1232	1290	1348	1409	1472	1538	1609	1683
Sanitarian IV	1290	1348	1409	1472	1538	1609	1683	1760	1839
School Health Coordinator	1032	1079	1126	1177	1232	1290	1348	1409	
Senior Public Health Nurse	1102	1150	1203	1261	1319	1377	1440		

Department of Natural Resources

Snowmobile Rules

Notice of Hearing

Please take notice that certain amendments to the Snowmobile Rules, which are identified as Minnesota Regulations NR 51-59, will be considered at a public hearing on October 12, 1977, at the hearing room of the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota, 55104, beginning at 9:30 a.m.

All interested persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearings. In addition, written materials may be submitted to hearing examiner Myron Greenberg at the above address, either before the hearing or within five (5) days after the hearing. The hearing will be conducted as described in Minn. Stat. § 15.0412 and in Minnesota Regulations HE 101-109.

The Commissioner of Natural Resources promulgates rules regarding snowmobiles under the authority of Minn. Stat. § 84.86. The proposed amendments:

—Make NR 51 (a) (4) more accurate by changing the phrase "issued registration sticker" to "affixed number or decal".

—Change NR 51 (a) (3) and (4) so that a person who does not renew his or her snowmobile registration until after July 1 following the expiration date of the registration, will not receive the same registration number as on the previous registration.

—Add a paragraph to NR 51 (a) making it unlawful to operate, transport, or permit the operation of a snowmobile which does not have its registration number and an unexpired decal properly affixed to it.

—Amend NR 56 (d) by changing the minimum age for those taking a snowmobile education and training program from no-minimum to age 11.

—Amend NR 56 (e) by changing the price for replacing a lost or destroyed snowmobile safety certificate from $1.00 to $2.00.

—Change NR 56 (e) so that a person 18 or over graduating from a training program can receive a safety certificate.

A free copy of the proposed rules may be obtained by writing to the Department of Natural Resources, Division of Enforcement, Centennial Building, Saint Paul, Minnesota 55155. Additional copies will be available at the hearings. A "statement of need" explaining why the agency feels the proposed rules are necessary, and a "statement of evidence" outlining the testimony they will be introducing will be filed with the Office of Hearing Examiners twenty-five (25) days before the hearing and will be available there for public inspection.

Please be advised that Minn. Stat. ch. 10A, requires each lobbyist to register with the Ethical Practices Board within five (5) days after he commences lobbying. Lobbying includes attempting to influence rule-making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612) 296-5615.

William B. Nye
Commissioner
Department of Natural Resources

Rules as Proposed

Minn. Regs. NR 51 (a), 56(d) and 56(e) are amended as follows:

NR 51 Registration and display of numbers.

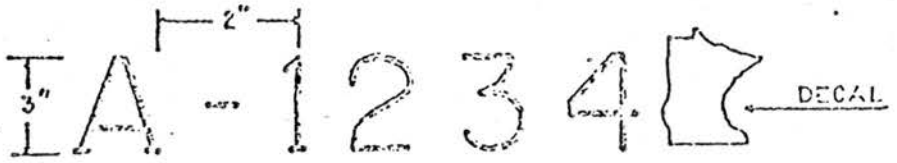
(a) Individual Registration

(1) Application for snowmobile registration shall be made to the Commissioner of Natural Resources or his

authorized agent on the form prescribed. (See Appendix of Forms, Form A). Registrants must be 18 years of age or older prior to applying for registration of a snowmobile. Upon presentation of a bill of sale in the form prescribed by the Commissioner, (Form B), and payment of the fee required, a snowmobile registration certificate will be issued to the applicant. Registration certificates are valid for a period of three years. A decal showing the expiration date shall be affixed to the machine as illustrated below.

(2) The applicant shall furnish all the information required by the application for snowmobile registration. (Form A).

(3) The [permanent] registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefore in accordance with NR 57 (d). On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows:



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(5) No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by NR 51 (a), unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, Section 84.82.

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NR 56 Snowmobile education and training programs.

(d) The fee for enrollment in a training program class is $2.00, payable in advance. A student who fails to pass may take the class over when available, without additional fee. Persons age 18 or over, or [under 12,] **age 11** may be admitted to a class to the extent facilities permit upon payment of the $2.00 fee.

(e) Upon successful completion of the training program by a student, the instructor will submit the name, address, and date of birth of the student to the snowmobile safety coordinator who will issue to the student, on behalf of the Commissioner, a snowmobile safety certificate. A duplicate certificate will be issued if the original is lost or destroyed, upon application and payment of [$1.00.] **$2.00.** No snowmobile safety certificate shall be issued to any person less than 12 years of age [nor more than 18 years of age, provided, however, that a snowmobile safety certificate may be issued to the] **except to his or her** parents or guardian, [of a person under 12 years of age] to be held by such parent or guardian until the person's twelfth birthday.

KEY: Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

DNR-78-004-MG

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF THE PROPOSED) AMENDMENTS TO THE SNOWMOBILE) RULES, MINN. RULES NR 51-59.)

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 12, 1977, before Myron S. Greenberg, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Department of Natural Resources on October 21, 1977; and

WHEREAS, the Department of Natural Resources has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Department of Natural Resources has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Department of Natural Resources has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Department of Natural Resources has the responsibility of submitting the complete hearing record and the rules as adopted by the Department to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 21st day
of November, 1977.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendments to
The Snowmobile Rules, Minnesota
Regulations NR 51-59

ORDER FOR

HEARING

The captioned previously issued rules appearing to be in need of amendment, it is hereby ordered that a public hearing be held, in the manner provided for rules hearings by Minnesota Statutes, Chapter 15, on October 12, 1977, in the hearing room at the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota, 55104, beginning at 9:30 a.m.

Dated at Saint Paul, Minnesota, this 5th day of August, 1977.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

WILLIAM B. NYE
Commissioner

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendments to
The Snowmobile Rules, Minnesota
Regulations NR 51-59

NOTICE OF HEARING

Please take notice that certain amendments to the Snowmobile Rules, which are identified as Minnesota Regulations NR 51-59, will be considered at a public hearing on October 12, 1977, at the hearing room of the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota, 55104, beginning at 9:30 a.m.

All interested persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearings. In addition, written materials may be submitted to hearing examiner Myron Greenberg at the above address, either before the hearing or within five (5) days after the hearing. The hearing will be conducted as described in Minnesota Statutes, Section 15.0412 and in Minnesota Regulations HE 101-109.

The Commissioner of Natural Resources promulgates rules regarding snowmobiles under the authority of Minnesota Statutes Section 84.86. The proposed amendments:

-Make NR 51 (a)(4) more accurate by changing the phrase "issued registration sticker" to "affixed number or decal".

-Change NR 51 (a)(3) and (4) so that a person who does not renew his or her snowmobile registration until after July 1 following the expiration date of the registration, will not receive the same registration number as on the previous registration.

-Add a paragraph to NR 51 (a) making it unlawful to operate, transport, or permit the operation of a snowmobile which does not have its registration number and an unexpired decal properly affixed to it.

-Amend NR 56 (d) by changing the minimum age for those taking a snowmobile education and training program from no-minimum to age 11.

-Amend NR 56 (e) by changing the price for replacing a lost or destroyed snowmobile safety certificate from $1.00 to $2.00.

-Change NR 56 (e) so that a person 18 or over graduating from a training program can receive a safety certificate.

A free copy of the proposed rules may be obtained by writing to the Department of Natural Resources, Division of Enforcement, Centennial Building, Saint Paul, Minnesota 55155. Additional copies will be available at the hearings. A "statement of need" explaining why the agency feels the proposed rules are necessary, and a "statement of evidence" outlining the testimony they will be introducing will be filed with the Office of Hearing Examiners twenty-five (25) days before the hearing and will be available there for public inspection.

Please be advised that Minnesota Statutes, Chapter 10A, requires each lobbyist to register with the Ethical Practices Board within five (5) days after he commences lobbying. Lobbying includes attempting to influence rule-making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250 per year for

lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, phone (612) 296-5615.

Dated this 26th day of August, 1977.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

William B. Nye

WILLIAM B. NYE, Commissioner

DNR-●-004-MG

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendments to the Snowmobile Rules, Minn. Rules NR 51-59

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Myron S. Greenberg of the Minnesota Office of Hearing Examiners on October 12, 1977 at 9:30 a.m. in the Hearing Room of the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota.

William A. Clapp, III, Special Assistant Attorney General, appeared as counsel for the Minnesota Department of Natural Resources (hereinafter "Department" or "DNR"). Bob Hodge, Special Investigator for the Department testified on behalf of the Department. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules. No one appeared at the hearing other than Messrs. Clapp and Hodge.

The purpose of the instant hearing is to determine whether proposed amendments to Minn. Rules NR 51-59, dealing with snowmobiles, should be adopted.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report should be available for review to all affected individuals upon request for at least five days. The Department shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his Report to the Department on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Department shall be responsible for filing the rules with the

Attorney General, and notifying those persons who have so requested that the rules have been filed.

Based upon all of the records and proceedings herein, the Examiner makes the following

FINDINGS OF FACT

1. On September 2, 1977, the Department filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the Estimated Length and Number of People attending the hearing.

2. On September 7, 1977, the Department mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

3. On September 12, 1977, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 440.

4. On September 16, 1977, the Department filed the following documents with the Hearing Examiner:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Certificate and list of the Secretary of State; and
(f) The Statement of Need and Evidence.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open to October 19, 1977 for receipt of written comments and statements. No comments were received during that time.

6. Statutory authority for the promulgation and amendment of the instant rules is contained in Minn. Stat. § 84.86.

7. The need for and reasonableness of each and all of the proposed rules is provided in the Department's Statement of Need and Evidence. No comments proffered at the hearing or thereafter criticized the substance or justification of any of the proposed amendments. The Examiner sees no useful purpose in restating the

contents of the Statement of Need in this Report.

Based on the foregoing, the Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate notice of the hearing was properly served and published by the Department. All other substantive and procedural requirements of statute and rule have been fulfilled.

2. The Division has demonstrated its statutory authority to adopt the proposed amendments to the rules.

3. By its Statement of Need and Evidence, the Department has demonstrated a need for and the reasonableness of the proposed amendments to the rules.

RECOMMENDATION

The Hearing Examiner recommends that the proposed amendments to the rules be adopted as proposed.

Dated this 21st day of October, 1977.

Myron S. Greenberg

MYRON S. GREENBERG
Hearing Examiner

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendments to the Snowmobile Rules, Minn. Rules NR 51 - 59

ORDER ADOPTING RULE

WHEREAS, the Report of the Hearing Examiner concludes that the hearing held on the proposed rules amendments on Ocotber 12, 1977, was properly noticed, and that the Department is authorized by statute to adopt the amendments and that the proposed amendments are, without modification, needed and reasonable,

THEREFORE, pursuant to the authority vested in me by law, I order that subject to approval as to form and execution by the Attorney General, and five (5) working days after publication in the State Register, Minn. Rules NR 51 - 59 are amended as proposed.

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STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

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Department of Natural Resources

Snowmobile Rules

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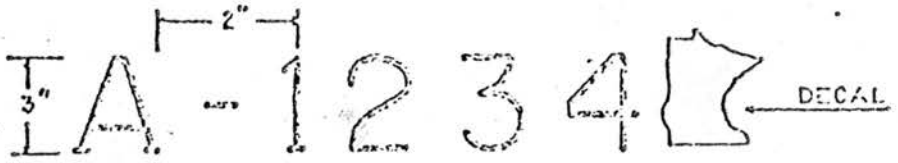

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NR 56 Snowmobile education and training programs.

(d) The fee for enrollment in a training program class is $2.00, payable in advance. A student who fails to pass may take the class over when available, without additional fee. Persons age 18 or over, or [under 12,] **age 11** may be admitted to a class to the extent facilities permit upon payment of the $2.00 fee.

(e) Upon successful completion of the training program by a student, the instructor will submit the name, address, and date of birth of the student to the snowmobile safety coordinator who will issue to the student, on behalf of the Commissioner, a snowmobile safety certificate. A duplicate certificate will be issued if the original is lost or destroyed, upon application and payment of [$1.00.] **$2.00.** No snowmobile safety certificate shall be issued to any person less than 12 years of age [nor more than 18 years of age, provided, however, that a snowmobile safety certificate may be issued to the] **except to his or her** parents or guardian, [of a person under 12 years of age] to be held by such parent or guardian until the person's twelfth birthday.

KEY: Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

DNR-78-004-MG

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF NATURAL RESOURCES

IN THE MATTER OF THE PROPOSED) AMENDMENTS TO THE SNOWMOBILE) RULES, MINN. RULES NR 51-59.)

REPORT OF THE CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on October 12, 1977, before Myron S. Greenberg, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Department of Natural Resources on October 21, 1977; and

WHEREAS, the Department of Natural Resources has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Department of Natural Resources has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Department of Natural Resources has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Department of Natural Resources has the responsibility of submitting the complete hearing record and the rules as adopted by the Department to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 21st day of November, 1977.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendments to
The Snowmobile Rules Minnesota
Regulations NR 51 - 59

STATEMENT

OF

COMPLIANCE

I, Special Assistant Attorney General A. W. Clapp III, declare that I have examined the proposed rules and all related documents, and that, based on them and my personal familiarity with the proceedings, the laws and rules for rule making have been followed.

Dated 11-29, 1977

A. W. Clapp III

A. W. CLAPP III
Special Assistant Attorney General

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendments to the Snowmobile Rules, Minn. Rules NR 51-59

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Myron S. Greenberg of the Minnesota Office of Hearing Examiners on October 12, 1977 at 9:30 a.m. in the Hearing Room of the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota.

William A. Clapp, III, Special Assistant Attorney General, appeared as counsel for the Minnesota Department of Natural Resources (hereinafter "Department" or "DNR"). Bob Hodge, Special Investigator for the Department testified on behalf of the Department. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules. No one appeared at the hearing other than Messrs. Clapp and Hodge.

The purpose of the instant hearing is to determine whether proposed amendments to Minn. Rules NR 51-59, dealing with snowmobiles, should be adopted.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report should be available for review to all affected individuals upon request for at least five days. The Department shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his Report to the Department on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Department shall be responsible for filing the rules with the

Attorney General, and notifying those persons who have so requested that the rules have been filed.

Based upon all of the records and proceedings herein, the Examiner makes the following

FINDINGS OF FACT

1. On September 2, 1977, the Department filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the Estimated Length and Number of People attending the hearing.

2. On September 7, 1977, the Department mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

3. On September 12, 1977, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 440.

4. On September 16, 1977, the Department filed the following documents with the Hearing Examiner:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Certificate and list of the Secretary of State; and
(f) The Statement of Need and Evidence.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open to October 19, 1977 for receipt of written comments and statements. No comments were received during that time.

6. Statutory authority for the promulgation and amendment of the instant rules is contained in Minn. Stat. § 84.86.

7. The need for and reasonableness of each and all of the proposed rules is provided in the Department's Statement of Need and Evidence. No comments proffered at the hearing or thereafter criticized the substance or justification of any of the proposed amendments. The Examiner sees no useful purpose in restating the

contents of the Statement of Need in this Report.

Based on the foregoing, the Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate notice of the hearing was properly served and published by the Department. All other substantive and procedural requirements of statute and rule have been fulfilled.

2. The Division has demonstrated its statutory authority to adopt the proposed amendments to the rules.

3. By its Statement of Need and Evidence, the Department has demonstrated a need for and the reasonableness of the proposed amendments to the rules.

RECOMMENDATION

The Hearing Examiner recommends that the proposed amendments to the rules be adopted as proposed.

Dated this 21st day of October, 1977.

Myron S. Greenberg

MYRON S. GREENBERG
Hearing Examiner

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

PROPOSED AMENDMENTS TO THE
SNOWMOBILE RULES
MINNESOTA REGULATIONS
NR 51-59.

Minn. Regs. NR 51(a), 56(d) and 56(e) are amended as follows:

NR 51 REGISTRATION AND DISPLAY OF NUMBERS

(a) Individual Registration

(1) Application for snowmobile registration shall be made to the Commissioner of Natural Resources or his authorized agent on the form prescribed. (See Appendix of Forms, Form A). Registrants must be 18 years of age or older prior to applying for registration of a snowmobile. Upon presentation of a bill of sale in the form prescribed by the Commissioner, (Form B), and payment of the fee required, a snowmobile registration certificate will be issued to the applicant. Registration certificates are valid for a period of three years. A decal showing the expiration date shall be affixed to the machine as illustrated below.

(2) The applicant shall furnish all the information required by the application for snowmobile registration. (Form A).

(3) The [permanent] registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefore in accordance with NR 57(d). On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows:



(4) All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three (3) inches high and 3/8 inch stroke. When any previously [issued] affixed BF registration [sticker] number or decal is destroyed or lost, BF a duplicate [of the registration number previously assigned] shall be affixed in the manner shown above. The [original] registration number [issued by the department is a permanent

number for the life of the machine.] shall remain the same if renewed by July 1 following the expiration date.

(5) No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by NR 51(a), unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, Section 84.82.

[(5)] (6) A duplicate registration certificate will be issued upon application by the owner to the Commissioner on the form prescribed and upon payment of the fee required by law. Replacement registration decals may be obtained from the Department of Natural Resources License Center or any conservation officer.

[(6)] (7) Application for transfer of ownership shall be made to the Commissioner within 15 days of the date of transfer. An "Application for Transfer" form (Form C) is to be executed by the registered owner and the purchaser and submitted together with the fee required by law, the owner's registration certificate and a bill of sale in the form prescribed by the Commissioner (Form B).

BF

[(7)] (8) Abandoned, stolen, or destroyed snowmobiles shall be reported to the Commissioner within (15) days by completing the reverse side of the registration certificate. No fee is charged for the reporting.

NR 56 SNOWMOBILE EDUCATION AND TRAINING PROGRAMS

(d) The fee for enrollment in a training program class is $2.00, payable in advance. A student who fails to pass may take the class over when available, without additional fee. Persons age 18 or over, or [under 12,] (age 11) may be admitted to a class to the extent facilities permit upon payment of the $2.00 fee.

BF BF

(e) Upon successful completion of the training program by a student, the instructor will submit the name, address, and date of birth of the student to the snowmobile safety coordinator who will issue to the student, on behalf of the Commissioner, a snowmobile safety certificate. A duplicate certificate will be issued if the original is lost or destroyed, upon application and payment of [$1.00.] ($2.00.) No snowmobile safety certificate shall be issued to any person less than 12 years of age [nor more than 18 years of age, provided, however, that a snowmobile safety certificate may be issued to the] (except to his or her) parents or guardian, [of a person under 12 years of age] to be held by such parent or guardian until the person's twelfth birthday.

BF BF

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendments to
The Snowmobile Rules, Minnesota
Regulations NR 51-59

CERTIFICATE

I hereby certify that the attached 493 labels and 3 sheets constitute the complete list of those who as of 8:30 o'clock A m. this 6th day of Sept., 1977, have requested pursuant to Minn. Stat., Section 15.0412, subd. 4, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearings on proposed rules and subjects captioned above.

SECRETARY OF STATE
JOAN GROWE

By Randall W. Sayles

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendments to
The Snowmobile Rules, Minnesota
Regulations NR 51-59

AFFIDAVIT OF MAILING

Jolene Durnelle, being first duly sworn, deposes and says:

That on Sept. 7, 1977, at St. Paul, Ramsey County, Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of Saint Paul, a true and correct copy thereof, properly enveloped and with postage prepaid, to all persons and associations at the addresses on the attached list.

Jolene Durnelle

Subscribed and sworn to before
me this 8th day of Sept.,
1977.

JOHN L. GEER
Notary Public, Ramsey County, Minn.
My Commission Expires, Sept. 27, 1978

ALBERT,AA CALDER CORP
366 JACKSON ST
ST PAUL MN
55101

ALLENDORF MARSHALL
220 GRAIN EX 400 S 4TH
MPLS MN
55415

ALLERS JOHN
1501 W 80TH ST SUITE210
BLOOMINGTON MN
55431

AMER CAMPING ASSN
3639-21/2 ST N.E.
MPLS MN
55418

AM INST PROF GEOLOGISTS
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ST PAUL MN
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ANCHOR BLOCK COMPANY
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VIRGINIA MN
55792

ANDERSON HAROLD
BOX 3047
MANKATO MN
56001

ANDERSON JAMES
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MPLS MN
55435

ANDERSON MARY
4425 RUTLEDGE AVE
EDINA MN
55436

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
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ANDREW MARK STATE SENATE
235 STATE CAPITOL
ST PAUL MN
55155

ANTHONY DICK WDSM RADIO
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DULUTH MN
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ANTI-TRUST DIV.ATTY GEN.
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DULUTH MN
55802

ARROWHEAD REGIONAL DEV CO
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DULUTH MN
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ASSOCIATED GEN CONTROF MN
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ST PAUL MN
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ST PAUL MN
55103

ASSN RESIDENCES FOR RETARDED
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ST PAUL MN
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ANOKA MN
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SO ST PAUL MN
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CCON RAPIDS MN
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BELLE PLAINE MN
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BEMIDJI STATE COLLEGE

BENSONI PETER USW OF AM.

BERGLUND ALF

GUSON & LOFGREN
GAS 700 LINDEN W
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BEST FLANAGAN ET AL
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MPLS MN
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NEW BRIGHTON MN
55112

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GRAND RAPIDS MN
55744

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BLOOMINGTON CITY CLERK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

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5880 BACON AVE
INVER GROVE H TS
55075

BOLTON MALCOLM
422 ALDRICH AVE NO
MPLS MN
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BOWMAN & BRUNS ATTN P MASON
16[illegible] PIONEER BLDG
ST PAUL MN
55101

BREHL JAMES W
332 HAMM BLDG
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BROWN H D
4961 KINGSBERRY LANE
MINNETONKA MN
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CHILDS J L

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CITY CLERK
386 CITY HALL
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[illegible]0 SYNDICATE BLDG
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56001

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HEADWATERS REG DEV. COMM
BOX 584 MENTAL HEALTH
BEMIDJI MN
56601

HEALTH MANPOWER C LARSON
717 DELAWARE ST SE
MPLS MN
55440

HEANEY BILL
30 W SUPERIOR ST
DULUTH MN
55802

HEARING EX.OFF. M GREENBERG
1745 UNIV AVE
ST PAUL MN
55104

HEIM PAUL M
3944 IDS CENTER 80 S 8
MPLS MN
55402

HEISENFELT WH
BOX 516
BEMIDJI MN
56601

HELTZER JAMES DAYTON HUDSON
777 NICOLLET MALL
MPLS MN
55402

HENDRICKSON A WM
100 FREEMAN DRIVE
ST PETER MN
56082

HENDRICKSON MRS VIRGINIA
3324 COUNTRY WOOD DR
BURNSVILLE MN
55337

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOLEY GEO AERONAUTICS
DOWNTOWN AIRPORT
ST PAUL MN
55107

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIUK
PO BOX 3260
ST PAUL MN
55165

HOLT JOHN
517 4TH ST NW
FARIBUALT MN
55021

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HULSTRAND ANDERSON & LA
PO BOX 130
WILLMAR MN
56201

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUMAN SERVICES
414 LAFFAYETTE RD 5THFL
ST PAUL MN
55101

HUSEBYE, CRAIG J.
5036 FRANCE S.
EDINA MN
55410

HUTCHISON R.M. ANOKA CO.
COURT HOUSE
ANOKA MN
55303

HYDROLOGIST
CHIPPEWA NATL FOREST
CASS LAKE MN
56633

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

IMAGE
BOX 3215
ST PAUL MN
55165

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INGVALSON VERN MN.FARM BU
1976 WOODDALE BOX 43370
ST PAUL MN
55164

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

INTERSTATE POWER RW STE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON MN DIV
111 E FRANKLIN RM-210
MPLS MN
55404

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN ARTHUR,CITY CLK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JENSEN MRS GAYNOLD
111 WEST 107TH ST
MPLS MN
55420

JOHANSEN BUS SERV INC
19 DAYTON RD
CHAMPLIN MN
55316

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON CLARENCE IBEW LU
3615 37TH AVE S
MPLS MN
55406

JOHNSON G ROBERT
4344 IDS CENTER
MPLS MN
55402

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KABLE RICHARD W
BETHEL MN
55006

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KEILY DANILE
3549 V2 PLEASANT AVE
MPLS MN
55408

KJERVIK DIANE
4302 POWEL HALL U OF M
MPLS MN

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KNUTSON DR KEITH,BIOLOGY DPT
ST CLOUD STATE
ST CLOUD MN
56301

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

KROEGER CHARLES
122 NW 7TH STREET
FARIBAULT MN
55021

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

KROON H CLIFTON
210 E WALNUT
MANKATO MN
56001

KUHL CARL
4421 4TH ST NE
COL HEIGHTS MN
55421

KVB ENGINEERING INC
600 S CO RD 18
MPLS MN
55426

LABELLE JUANITA MRS
5816 AQUILA AVE NO
NEW HOPE MN
55428

LAKE SUPERIOR INDUSTRIAL BUR
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LEG.REF.LIB-Z. DEWI
RM 111 STATE CAPITOL
ST PAUL MN
55155

LIBRARY LEGMED

LEVEY JESS MET STATE UNIV
METRO SQ RM 121
ST PAUL MN
55101

LEAVEY THOS
829 22ND AVE SE
MPLS MN
55414

LEWIS DR.G.M JR.
ABBOTT 110 E 18TH ST
MPLS MN
55403

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LOOS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55423

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

LUTH SOC SERVICE OF MN
2414 PARK AVE
MPLS MN
55404

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MADSON HUGH
AETNA 212 S 6TH ST
MPLS MN
55402

MAHCF RICK CARTER
2850 METRO DR SUITE 431
BLOOMINGTON MN
55420

MALECKI JAMES
1 SO STATE ST
NEW ULM MN
56073

MALONE E I COMM LABOR &
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MANKATO STATE STUDENT ASSN
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MANSFIELD LARRY HCARC
1800 CHICAGO AVE S
MPLS MN
55404

MANTHEY T J PICKANDS MA
1100 SUPERIOR AVE
CLEVELAND OH
44114

MARRINAN MARGARET M
1117 COMMERCE BLDG
ST PAUL MN
55101

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWELL
200 FIRST AVE NW
ROCHESTER MN
55901

MCCLURG EUNICE
1061 109TH AVE NE
BLAINE MN
55434

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MET. WASTE CONTOL COMM.
350 METRO SQ BLG
ST PAUL MN
55101

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MET TFR MEN ASSN A ROSE
1821 UNIV AVE
ST PAUL MN
55104

METROPOLITAN COUNCIL

METROPOLITAN COUNCIL LIBRARY
300 METRO SQUARE
ST PAUL MN
55155

MEYER HERBERT
10824 ZENITH AVE S
BLOOMINGTON MN
55431

MEYERLE KATHLEEN
345 RAMSEY ST
ST PAUL MN
55102

MIDLAND GLASS-HD SPURLIN
PO BOX 69
SHAKOPEE MN
55379

MILLER PAUL J PHARMACY SERV
ST MARYS HOSP
ROCHESTER MN
55901

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASPHALT PAVEMENT ASSN
555 WABASHA RM 209
ST PAUL MN
55102

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN ASSN ELEC COOPERATIVES
4901 W 77TH ST
MPLS MN
55435

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN ASSN VOL SOC SERVICE
1821 UNIV SUITE 389
ST PAUL MN
55114

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN CHAP ASSOC BLDRS-CONTRS
7204 W 27TH ST
MPLS MN
55426

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN GOV ENG COUNCIL
2400 SHERWOOD HILL RD
MINNETONKA MN
55343

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN HOUSING INST N T CARTER
7801 METRO PKWY
MPLS MN
55420

MINN HWYS MANAGEMENT SERVICE
407 HWY BLDG
ST PAUL MN
55101

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MINN. MTR. TRANSP. J.N. DENN
1821 UNIV.
ST. PAUL MN
55104

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN POLLUTION CONTROL A
1935 W CO RD B2
ROSEVILLE MN
55113

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN
55104

MINN RETAIL FED INS
131 METRO SP
ST PAUL MN
55101

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN SOCIETY ARCHITECTS AIA
NW NATL BK BLDG
ST PAUL MN
55101

MINN STATE EAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN TEAMSTERS CREDIT UN
2021 HENN AVE E
MPLS MN
55413

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MINN. TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MN AUTOMOBILE DEALERS ASSN
277 UNIV AVE
ST PAUL MN
55103

MN. ASN. C&IND H.D.PETERSON
480 CEDAR ST.
ST.PAUL MN
55101

MN AFL-CIO L.O. LASHOMB
175 AURORA
ST PAUL MN
55103

MN. BD OF NURSING
717 DELAWARE ST SE
MPLS MN
55414

MN ELECTRICAL ASSN
3100 HUMBOLT SO
MPLS MN
55408

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MN SCC SERV ASS J HOOD
614 PORTLAND
ST PAUL MN
55102

MN STATE SER BLIND-K NATARDY
1745 UNIVERSITY AVE
ST PAUL MN
55104

MOFFITT R C
RM 301 M MPLS CITYHALL
MPLS MN
55415

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MOSS DR JEROME
125 PEIK 159 PILLSBURY
MPLS MN
55455

MOTOR VEHICLE MFRS ASSN
411 MAIN ST (215)
ST PAUL MN
55102

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MPLS ASSN RETARDED CI
3100 W LAKE ST
MPLS MN
55416

MPLS CITY ATTORNEY

MPLS STAR PRESS ROOM

MPLS TRIBUNE CITY DESK

MT OLIVET ROLLING ACR

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MT OLIVET ROLLING ACRES
R 1 BOX 576
EXCELSIOR MN
55331

MURPHY DIANA E
4200 IDS-LINDQUIST VENN
MPLS MN
55402

NASS GEO V HENN CO GEN HOSP
5TH AND PORTLAND AVE
MPLS MN
55415

NATL CAR RENTAL ATT D MIT
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
BELLAIRE TX
77401

NELSON JOHN
4809 180TH ST N
HUGO MN
55038

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NIELSEN STOCK & BLACKBU
415 730 BLDG
MPLS MN

NO SUB MONTESSORI-S SADDLER
2487 HELEN COURT
NO ST PAUL MN
55109

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NURSING HOME RES ADV CO.
111 E FRANKLIN S210
MPLS MN
55404

NUTTER JULIA
743 W MONTANA
ST PAUL MN
55117

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

NW REG. DEV. COMM
425 WOODLAND AVE
CROOKSTON MN
56716

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

OLSON KATHLEEN
192 SEYMOUR AVE SE
MPLS MN
55414

OSTRUM DONALD E
PO BOX 33163
COON RAPIDS MN
55433

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PAYNE COL ALVIN

DEGRAFF MN
56233

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATTON
1155 15TH ST NW
WASHINGTON DC DC
20005

PHILLIPS LEGISLATIVE
459 RICE ST
ST PAUL
55103

PINNETTI NICK M HALEY & ASS.
40 CENTRAL PARK S
NEW YORK NY
10019

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER DAVID
3002 27 AVE S
MPLS MN
55406

PORTER LYLE O

TRACY MN
56175

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PRAUSE JOS. C.
2220 105TH AVE. N. W.
COON RAPIDS MN
55433

PROCTOR&GAMBLE L THEOHAROUS
IVORYDALE TECH CENTER
CINCINNATI OH
45217

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RADMAN RICHARD-LABOR TEMPLE
418 AUDITORIUM
ST PAUL MN
55102

RALPH BURKE ASSOCIATES
7710 COMPUTER #S101
MPLS MN
55435

RAMSEY CO MEDICAL SOC
908 AM NATL BK BLDG
ST PAUL MN
55101

RAUENHORST CORP-C ANDERS
7900 XERXES S. S-2200
MPLS MN
55431

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

REARDON MRS HELEN
1125 S E 6TH ST
WILLMAR MN
56201

REID DAVID H
6469 N GRAHAM RD
INDIANAPOLIS IN
46220

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REGION FIVE REG. DEV. COMM.
102 6TH ST N
STAPLES MN
56479

REGION NINE DEV. COMM.
709 N FRONT ST
MANKATO MN
56001

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RENNER R.H. ST PAUL
300 OSBORN BLDG.
ST PAUL
55102

RENQUIST ARTHUR NSP CO

RICHARDSON THOS

RICHARDS MONTGOMERY ET AL

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

RIEKE DAVID
PO BOX 9311
MPLS MN
55440

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DR ALAN
BOX 297 MAYO U OF M
MPLS MN
55455

ROBERTS DAVID E
1260 NW NATL BK BLDG
ST PAUL MN
55101

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

ROSS ROY J
CLK TREAS
LITCHFIELD MN
55355

ROWLEY STEPHEN
4305 15TH AVE S
MPLS MN
55407

RUDY FLOYD
118 AVE C
CLOQUET MN
55720

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

SE MN REG DEV COMM
301 MARQ BK BLDG
ROCHESTER MN
55901

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SW REGIONAL DEV COMM
2811 BDWY
SLAYTON MN
56172

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHAEN ETHEL
1745 UNIVERSITY AVE
ST PAUL MN
55104

SCHLICHT REV ROBT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT D R MN ASSN REAL
6101 WAYZATA BLVD
MPLS MN
55416

SCHMIDT H W TCHRS RETIREMENT
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHMIDT WARREN WELLCOME MH5
GARDEN CITY
MN
56034

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHWINN ROBT.P.
1400 SOO LINE BLDG.
MPLS. MN
55402

SCHNEIDER & NEESER

SCHROEDER ALFRED H

SELECTVISION INC ER VALENTIN

SCHNEIDER & NEESER
706 1ST ST SO PO BX 876
WILLMAR MN
56201

SCHROEDER ALFRED H
2172 CARROLL AVE
ST PAUL MN
55104

SELECTVISION INC FR VALENTIN
1 DAG HAMMARSKJOLD PL
NEW YORK NY
10017

SENATE COUN OFF ROOM 24
STATE CAPITOL
ST PAUL MN
55101

SENATE FINANCE COMMITTEE
113 STATE CAPITOL
ST PAUL MN
55101

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SILVERMAN JUDITH
8545 W 28TH ST
ST LOUIS PARK MN
55426

SITE ENGINEER INC
12 OLD DEERFIELD RD
WELCH MN
55089

SIX EAST REG. DEV. COMM
311 W 6TH ST
WILLMAR MN
56201

SIX W REG. DEV. COMM
128 W SORENSON
APPLETON MN
56208

SMERIKA WM.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SMITH MICHAEL
318 HARVARD ST SE
MPLS MN
55414

SNELL LYN
BOX 314
EDEN VALLEY MN
55329

SNYDER, R.W. U OF M
RM 248C CLASS OFF BLDG.
ST PAUL MN
55108

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

SODERMAN ANTHONY
1414 FOSHAY TOWER
MPLS MN
55402

STANSFIELD ARLENE LAND C
PO BOX 116
MPLS MN
55440

STATE BD VETERINARY EXAMINER
C/O DR A C SPANNAUS DVM
WACONIA MN

STD AM LIFE & ANNUITY CO
3801 W 50TH ST
MPLS MN
55410

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

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STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Proposed Amendments to the Snowmobile Rules, Minn. Rules NR 51-59

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Hearing Examiner Myron S. Greenberg of the Minnesota Office of Hearing Examiners on October 12, 1977 at 9:30 a.m. in the Hearing Room of the Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota.

William A. Clapp, III, Special Assistant Attorney General, appeared as counsel for the Minnesota Department of Natural Resources (hereinafter "Department" or "DNR"). Bob Hodge, Special Investigator for the Department testified on behalf of the Department. The hearing continued until all interested groups or persons had an opportunity to be heard concerning the adoption of the proposed rules. No one appeared at the hearing other than Messrs. Clapp and Hodge.

The purpose of the instant hearing is to determine whether proposed amendments to Minn. Rules NR 51-59, dealing with snowmobiles, should be adopted.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report should be available for review to all affected individuals upon request for at least five days. The Department shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his Report to the Department on the issues of substantial changes in the rules and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Department shall be responsible for filing the rules with the

Attorney General, and notifying those persons who have so requested that the rules have been filed.

Based upon all of the records and proceedings herein, the Examiner makes the following

FINDINGS OF FACT

1. On September 2, 1977, the Department filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) A proposed Order for Hearing;
(c) A proposed Notice of Hearing; and
(d) A Statement of the Estimated Length and Number of People attending the hearing.

2. On September 7, 1977, the Department mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

3. On September 12, 1977, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 440.

4. On September 16, 1977, the Department filed the following documents with the Hearing Examiner:

(a) The Order for Hearing;
(b) The Notice of Hearing as mailed;
(c) The Affidavit of Receipt of the Secretary of State's list;
(d) The Affidavit of Mailing;
(e) The Certificate and list of the Secretary of State; and
(f) The Statement of Need and Evidence.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing.

5. The record remained open to October 19, 1977 for receipt of written comments and statements. No comments were received during that time.

6. Statutory authority for the promulgation and amendment of the instant rules is contained in Minn. Stat. § 84.86.

7. The need for and reasonableness of each and all of the proposed rules is provided in the Department's Statement of Need and Evidence. No comments proffered at the hearing or thereafter criticized the substance or justification of any of the proposed amendments. The Examiner sees no useful purpose in restating the

contents of the Statement of Need in this Report.

Based on the foregoing, the Examiner makes the following:

CONCLUSIONS

1. Due, timely and adequate notice of the hearing was properly served and published by the Department. All other substantive and procedural requirements of statute and rule have been fulfilled.

2. The Division has demonstrated its statutory authority to adopt the proposed amendments to the rules.

3. By its Statement of Need and Evidence, the Department has demonstrated a need for and the reasonableness of the proposed amendments to the rules.

RECOMMENDATION

The Hearing Examiner recommends that the proposed amendments to the rules be adopted as proposed.

Dated this 21st day of October, 1977.

Myron S. Greenberg

MYRON S. GREENBERG
Hearing Examiner