

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 716

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 7/30
DATE FOR REVIEW 8/7
DATE DUE 8/13

Adopted w/a hearing _____
Adopted w/o a hearing X
Temporary rule _____

Approved 8/6 Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 8/7 REVISOR APPROVED ✓

✓ Rule as Adopted

✓ Rule as Proposed See SR.

? Order Adopting 7.30.81

N/A Notice of Intent to Solicit Outside Opinion

___ Order for rulemaking
_____ ~~Date of Hearing~~ not submitted

? Certificate of Board's Authorizing Resolution See copy of minutes 6/2/81

___ Notice of rulemaking
_____ Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
6.25.81 At least 30 days prior to ~~hearing~~/adoption

? Mailing list Certificate not submitted but see attachment to Affidavit of Mailing

✓ Publication in State Register
6.29.81 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

N/A Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

___ Agency's Findings of Fact not submitted

N/A LCRAR Report or agency Affidavit

? Certificate of Board's Resolution Adopting Rules See copy of Minutes 7/21/81 + affirmation 8/4/81

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes ~~transcript or tape, exhibits~~, comments received by agency, ~~requests for a hearing~~, and other ~~relevant~~ materials)

✓ Certificate of Compliance w/Rulemaking Procedures

? Affidavit of Mailing Notice of Submission to Attorney General

? Notice of Submission to the Attorney General

not submitted - no indication if requests for notice were received by agency.

MN. 1000 Rev. 1 78
SF-05005-01

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : JOHN QUINN
Executive Secretary
State Board of Electricity

DATE: August 7, 1981

ATTN : Robert Clayton
Special Assistant Attorney General

FROM : Jerry S. Anderson
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Amendment of Rules of the State Board of Electricity Governing License and Renewal Fees

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register; this must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State to the last page of the rules;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

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

JSA:rjg

Enc.

cc: Duane Harves
Susan Robertson

SF-00006-02

DEPARTMENT

STATE OF MINNESOTA

Office Memorandum

TO : Jerry Anderson

DATE: 7-30

FROM : Bob Clayton

PHONE:

SUBJECT: Enclosed Rules

Please Note

Enclosed for your approval are Rules amending fees adopted by the Board of Electricity. As I mentioned these were adopted pursuant to Minn. Stat. § 214.06 and Minn Laws 1980 ch 357 §§ 25 & 26, with no public hearing.

Because of the time considerations faced by the Board, the Board at its 7-21-81 meeting authorized the Exec Sec to sign an order adopting the Rules on July 30, the day after the comment period, if no comments had been received which differed in substance from those received prior to 7-21-81. Should comments were rec'd. The Bd. will review all comments at its next meeting, which will be next Tuesday and adopt a resolution ratifying Mr. Quinn's order if they concur that the comments rec'd after 7-21 will not lead to a different conclusion.

You will not that the revisor made one technical change to the language of the Rule which has no substantive effect. The Board has authorized a non-controversial amendment which has been submitted for publication in the State Register. The amendment will change the licensing period to 2 yr. and will change the language in question.

Since the contractor's license renewal on Sept. 1, the Board must publish this amendment in the Aug 24 St Register, requiring submission to the Register by Aug. 10. Therefore we would greatly appreciate any assistance you could give in having the change by that date.

I will be out of the office next week so any questions should be directed to Rich Evans or John Quinn, Exec. Sec. of the Bd at 7-2297.

RECEIVED
JUL 30 1981
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Rule as Adopted

4 MCAR S 11.032 Licenses, examination and renewal fees.

A. All licenses issued hereunder shall expire one year from the date of issuance, except that an electrical contractor's license shall expire on September 1 of each year.

B. The following fees shall be payable for examination, issuance and renewal:

1. For examination:

a. Class "A" Master -$35.00

b. Class "B" Master -$20.00

c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician -$10.00

2. For issuance of original license and renewal:

a. Class "A" Master -$35.00

b. Class "B" Master -$20.00

c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician ~~-$ 7.50~~ -$10.00

d. ~~Electrical Contractor's licenses shall be renewed on September 1st of each year. Original & renewal fee~~ Contractor ~~-$10.00~~ -$75.00

C. Any electrical contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to

Minn. Reg. Elec 26 shall submit a reissuance fee of $100.00 before the license is reinstated.

APPROVED AS TO LEGALITY
8/6 1981
WARREN SPANNAUS, ATTORNEY GENERAL
BY Jerry Anderson
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
AUG 7 - 1981
Joan Anderson Growe
Secretary of State
9:20 A.M.

July 30, 1981

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Amendment of
Rules of the State Board of Electricity
Governing License and Renewal Fees

ORDER TO ADOPT RULES

Adopted Rule Amending License and Renewal Fees

The rule proposed and published at State Register, Volume 5, Number 50, pp. 2092-2093, June 29, 1981 (5 S.R. 2092) is now adopted as proposed (4MCAR § 11.032).

John Quinn

John Quinn
Executive Secretary
State Board of Electricity
Room N-191, Griggs Midway Building
1821 University Avenue
Saint Paul, Minnesota 55104
Telephone: (612) 297-2111

STATE BOARD OF ELECTRICITY

Proposed Increase in License
and Renewal Fees

Statement of Need and Reasonableness

4 MCAR § 11.032

The State Board of Electricity has a negative accumulative difference of $90,000 with its license and renewal fees activity through fiscal year 1981.

The Commissioner of Finance has instructed the Board of Electricity to adjust its license and renewal and examination fees to recover its costs.

The Board's proposed license and renewal fee increase was approved by the Commissioner of Finance on June 6, 1981.

The Board is projecting to reduce this accumulative difference over the next two bienniums.

MS 214.06 states all non-health related licensing boards may by rule, with the approval of the Commissioner of Finance, adjust any fee which the board is empowered to assess a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures during the fiscal biennium.

M I N N E S O T A
STATE BOARD OF ELECTRICITY
GRIGGS MIDWAY BLDG., ROOM N-191
1821 UNIVERSITY AVENUE
ST. PAUL, MN. 55104

REGULAR BOARD MEETING, JUNE 2, 1981 10:00 A. M. - ST. PAUL (TUESDAY)

Review of applications prior to meeting.

OPENING

Review of applications from 8:15 a.m. to 10:00 a.m.
Meeting called to order at 10:00 a.m. Mr. Draisey presiding.

Roll call, those present: Messrs. Downs, Holsing, Hill, Draisey, Bornus, Hiebert, Gerling and Hanson

Also present: Messrs. Quinn, Foley and Synstelien

#1 READING OF MINUTES OF PREVIOUS BOARD AND COMMITTEE MEETINGS
Minutes of Board Meeting, May 19, 1981
Motion by Mr. Holsing; 2nd by Mr. Gerling, that the Board APPROVE the above minutes as read.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

#2 A) DISBURSEMENTS B) SPECIAL EXPENSES & REFUNDS C) FINANCIAL REPORTS & MISC.
A) Disbursements

State Equipment Repair # A9097			$ 78.38
INWATS/OUTWATS Telephone Bill, March, 1981			136.85
I. S. B. Billing for April, 1981			184.24
Requisition for Motor Pool Vehicle, April, 1981	Car	M562	318.10
" " " " " "	"	C322	316.60
" " " " " "	"	C350	283.86
" " " " " "	"	C426	345.30
" " " " " "	"	C527	331.50
DEPARTMENT TRANSMITTAL LETTER	Batch No. 67		27,620.65
" " "	Batch No. 68		4,865.80
" " "	Batch No. 69		20,958.81
" " "	Batch No. 70		1,620.00

Motion by Mr. Holsing; 2nd by Mr. Hiebert, the Board APPROVE the above disbursements.
VOTE: HILL AYE: HOLISNG AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

B) Special Expenses & Refunds
Respectfully request the payment of per diem and travel expenses to Mr. Allan Hill for May 19, 1981 and May 20, 1981 for working on the license hearing at the Attorney General's Office.
Motion by Mr. Gerling; 2nd by Mr. Downs, the Board APPROVE the above expense request.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

REGULAR BOARD MEETING, JUNE 2, 1981

#2 A) DISBURSEMENTS B) SPECIAL EXPENSES & REFUNDS C) FINANCIAL REPORTS & MISC. CONT'

C) Financial Reports & Misc.
NONE

#3 SPECIAL ORDERS OF BUSINESS

1. Mr. Gerhardt Zech, Supt. of C & M Dept. of Minnesota Power & Light appeared before the Board at 10:30 a.m. and discussed licensing of his apprentices. Motion by Mr. Hanson; 2nd by Mr. Gerling, the Board agreed to consider any work experience where a Request for Inspection was filed and the work was inspected. Letter written.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

2. Request approval to initiate a public hearing to change the expiration date for all electrical licenses from one year to two years from the date of issuance to become effective upon completion of hearing.
Motion by Mr. Holsing; 2nd by Mr. Hill, the Board APPROVE the initiation of a public hearing to change expiration date of all electrical licenses.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

3. Request approval to adjust the current licenses, examinations, and renewal fees through authorization of the Finance Department that would not exceed 110% of the sum of all direct appropriations, transfers-in, and salary supplements for that purpose for the biennium effective September 1, 1981.
Motion by Mr. Gerling; 2nd by Mr. Hill, the Board APPROVE the adjustment of current fees for licenses, examinations and renewals through authorization of the Finance Department.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

4 MCAR § 11.032 Licenses, examination and renewal fees.

A. All licenses issued hereunder shall expire ~~one~~ two years from date of issuance except the Class A Master, Class B Master, and Electrical Contractor's licenses.

B. The following fees shall be payable for examination, issuance and renewal~~:~~. No refunds will be made after license issuance.

1. For examination
   a. ~~Class "A" Master~~ All classes of electrician's licenses ~~$35.00~~ $25.00
   b. ~~Class "B" Master~~ ~~$20.00~~
   c. ~~Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician~~ ~~$10.00~~

2. For issuance of original license and renewal:
   a. Class "A" Master $35.00
   Licenses will expire one year from date of issuance through February 28, 1982. Licenses issued on and after March 1, 1982 will expire March 1st of the next even-numbered year and shall be renewed for two years thereafter. The fee will be prorated quarterly if period is less than two years.

REGULAR BOARD MEETING, JUNE 2, 1981

#3 SPECIAL ORDERS OF BUSINESS

Continued

b. Class "B" Master -$20.00
License will expire on year from date of issuance through February 28, 1982. Licenses issued on and after March 1, 1982 will expire March 1st of the next even-numbered year and shall be renewed for two years thereafter. The fee will be prorated quarterly if period is less than two years.

c. Class "A" Journeyman, Class "B" Journeyman, Class A & B Installer or Special Electrician -~~$7.50~~ $10.00 per year

d. ~~Electrical Contractor's licenses shall be renewed on September 1st of each year. Original & renewal fee~~ -~~$10.00~~

Electrical Contractors
Licenses issued on and after Spetember 1, 1981, will expire September 1, 1982 and the fee prorated quarterly. Licenses issued on and after September 1, 1982 will expires March 1st of the next even-numbered year and shall be renewed for two years thereafter. The fee will be prorated quarterly if period is less than two years. -$75.00 per year

C. Any electric contractor who seeks reissuance of his or her license after it has been revoked and suspended pursuant to Minn. Reg Electric 26,

#4 LICENSING DEPARTMENT BUSINESS

A) Examination score of 68%, 69% - 70% - 71%

B) Board Review List
ATTACHED

C) Reciprocal License Requests
1. HENDRICKSON, Wayne R., 1032 Pleasant St., Bismarck, N.D. 58501
Requests for a Minnesota "A" JOURNEYMAN license by reciprocity with the State of North Dakota. N.D. verifies applicant took exam on 6/18/79 and received a score of 90%. 1st license issued 6/27/79 and in force until 3/31/82.
Motion by Mr. Bornus; 2nd by Mr. Hiebert, the Board APPROVE the above reciprocal license request.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: UNANIMOUS
ACTION: Approved and Carried.

D) Examination Report and Summary for May, 1981.

E) Contractor's List for May, 1981

#5 INSPECTION DEPARTMENT BUSINESS

A) Conviction Reports to the State Board of Electricity
1. Defendant: Kenneth Busse
Person filing Complaint: Vernon Thompson
Property Owner: Charles Lingwall
(Guilty - $100.00 fine or 30 days with both dropped if he keeps a clean slate for one year)

STATE OF MINNESOTA
STATE BOARD OF ELECTRICITY
GRIGGS MIDWAY BLDG. – ROOM N-191
1821 UNIVERSITY AVENUE
SAINT PAUL, MINN. 55104

OFFICE OF THE
EXECUTIVE SECRETARY
(612) 297-2111

June 29, 1981

Department of Administration

Board of Electricity

Proposed Rules Amending License and Renewal Fees

Notice of Intent to Adopt Rules without a Hearing

Request for Public Comment

Notice is hereby given that the Board of Electricity has proposed the following rules amending the fees charged for license; issuance and renewal. These rules are promulgated pursuant to Minn. Stat. §§ 214.06 subd. 1 (1980); 15.0412 subd. 4 (1980), as amended by Laws of 1981, ch. 357 § 25; 16A.128 (1980), as amended by Laws of 1981, ch. 357 § 26. These provisions authorize the Board of Electricity to adopt rules amending its fees without a public hearing when the total fees estimated to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

No hearing will be held prior to the promulgation of these rules by the Board of Electricity. All interested persons are hereby afforded the opportunity to submit their comments on the proposed rules for 30 days immediately following publication of this material in the State Register by writing to Executive Secretary, Board of Electricity, 1821 University Avenue, Room N-191, St. Paul, Minnesota 55104. The proposed rules may be modified if modifications are supported by the data and views submitted. Any written material received shall become part of the record in the final adoption of the proposed rules. Any person who desires to be notified when the proposed rules and record herein are submitted to the Attorney General should so inform the Executive Secretary of the Board of Electricity. Publication is hereby ordered.

State Board of Electricity
Griggs Midway Building, Rm. N-191
1821 University Avenue
St. Paul, Minnesota 55104

(OVER)

AN EQUAL OPPORTUNITY EMPLOYER

Rule as Proposed

4 MCAR S 11.032 Licenses, examination and renewal fees.

A. All licenses issued hereunder shall expire one year from the date of issuance, except that an electrical contractor's license shall expire on September 1 of each year.

B. The following fees shall be payable for examination, issuance and renewal:

1. For Examination:

a.	Class "A" Master	-$35.00
b.	Class "B" Master	-$20.00
c.	Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician	-$10.00

2. For issuance of original license and renewal:

a.	Class "A" Master	-$35.00	
b.	Class "B" Master	-$20.00	
c.	Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician	~~-$7.50~~	-$10.00
d.	Electrical ~~Contractor's licenses shall be renewed on September 1st of each year. Original & renewal fee~~ Contractor	~~-$10.00~~	-$75.00

C. Any electrical contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to Minn. Reg. Elec 26 shall submit a reissuance fee of $100.00 before the license is reinstated.

June 25, 1981

Department of Administration

Board of Electricity

Proposed Rules Amending License and Renewal Fees

Notice of Intent to Adopt Rules without a Hearing

Request for Public Comment

Notice is hereby given that the Board of Electricity has proposed the following rules amending the fees charged for license; issuance and renewal. These rules are promulgated pursuant to Minn. Stat. §§ 214.06 subd. 1 (1980); 15.0412 subd. 4 (1980), as amended by Laws of 1981, ch. 357 § 25; 16A.128 (1980), as amended by Laws of 1981, ch. 357 § 26. These provisions authorize the Board of Electricity to adopt rules amending its fees without a public hearing when the total fees estimated to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

No hearing will be held prior to the promulgation of these rules by the Board of Electricity. All interested persons are hereby afforded the opportunity to submit their comments on the proposed rules for 30 days immediately following publication of this material in the State Register by writing to Executive Secretary, Board of Electricity, 1821 University Avenue, Room N-191, St. Paul, Minnesota 55104. The proposed rules may be modified if modifications are supported by the data and views submitted. Any written material received shall become part of the record in the final adoption of the proposed rules. Any person who desires to be notified when the proposed rules and record herein are submitted to the Attorney General should so inform the Executive Secretary of the Board of Electricity. Publication is hereby ordered.

STATE BOARD OF ELECTRICITY
GRIGGS MIDWAY BLDG., ROOM N-191
1821 UNIVERSITY AVENUE
ST. PAUL, MN. 55104

Rule as Proposed

4 MCAR S 11.032 Licenses, examination and renewal fees.

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2. For issuance of original license and renewal:

a. Class "A" Master -$35.00

b. Class "B" Master -$20.00

c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician ~~-$ 7.50~~ -$10.00

d. Electrical ~~Contractor's licenses shall be renewed on September 1st of each year. Original & renewal fee~~ Contractor ~~-$10.00~~ -$75.00

C. Any electrical contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to

Minn. Reg. Elec 26 shall submit a reissuance fee of $100.00 before the license is reinstated.

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Notice of Proposed Amendment To Rules To Be Adopted Without Hearing and Request For Public Comment

AFFIDAVIT OF MAILING

Joanne Peterson being first duly sworn, deposes and says:

That by the 25th day of June, 1981, at the City of Saint Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Proposed Amendment To Rules To Be Adopted Without Hearing and Request For Public Comment by depositing in the United States mail at said City of Saint Paul, a true and correct copy therof, properly enveloped, with postage prepaid, to all persons and associations who have requested notification of rule changes pursuant to Minnesota Statutes 15.0412, Subd. 4 (1980) as shown on the attached list.

Joanne P. Peterson

Subscribed and sworn to before me

This 29th day of June, 1981

Helen P. Conrad
(Notary Public)

HELEN P. CONRAD
Notary Public
Ramsey County, Minn.
Commission Expires
Aug. 16, 1981

PERSONS TO BE NOTIFIED OF PROPOSED NEW OR REVISED RULES

Mr. Clarence Johnson
3615 - 37th Avenue S.
Minneapolis, MN. 55406

Ms. Judith G. Schotzko
Frundt, Frundt & Johnson
117 W. 5th Street
Blue Earth, MN. 56013

Mr. Lowell E. Torseth
Executive Secretary
Board of Architecture, Engineering,
Land Surveying & Landscape Architecture
500 Metro Square
St. Paul, MN. 55101

Mr. Norman Osterby
Director, Bldg. Codes & Standards Division
408 Metro Square Bldg.
7th & Robert Streets
St. Paul, MN. 55101

Mr. Don Pates, Assistant Director
State of Minnesota Building Code Division
408 Metro Square Bldg.
7th and Robert Streets
St. Paul, MN. 55101

Mr. James D. Wolverton, P.E.
Wolverton Engineering Company
847 - 40th Avenue N.E.
Columbia Heights, MN. 55421

Mr. Thomas M. Polt
Polt Law Offices
McCarthy Bldg.
Eyota, MN. 55934

Phillips Legislative Service, Inc.
459 Rice Street
St. Paul, MN. 55103

Bonnie M. Spencer, Director
State Regulatory Affairs
Federal-State Reports, Inc.
5203 Leesburg Pike, Suite 1201
Falls Church, VA. 22041

Peterson, Popovich, Knutson & Flynn
Mr. Peters S. Popovich
314 Minnesota Bldg.
St. Paul, MN. 55101

Bonnie Bannanno
Office of Hearing Examiners
Room 300, 1745 University Avenue
St. Paul, MN. 55104

Mr. Dennis R. Johnson
3837 - 24th Avenue S.
Minneapolis, MN. 55406

Mr. William R. Carter, III
Peace Officer Standards & Training
500 Metro Square Bldg.
St. Paul, MN. 55101

State of Minnesota Building Code Division
408 Metro Square Bldg.
7th and Robert Streets
St. Paul, MN. 55101
ATTN: Peggi Opalinski

Mr. Dick Brooks, Assistant Director
State of Minnesota Building Code Division
408 Metro Square Bldg.
7th and Robert Streets
St. Paul, MN. 55101

Mr. Elroy Berdahl, Code Consultant
State of Minnesota Building Code Division
408 Metro Square Bldg.
7th and Robert Streets
St. Paul, MN. 55101

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

Mr. Donald E. Montgomery, Executive Directo
Minnesota Chapter Associated Builders
and Contractors, Inc.
6300 Walker Street, Suite 109
Minneapolis, MN. 55416

Antitrust Division
Minnesota Attorney General's Office
117 University Avenue, 2nd Floor
St. Paul, MN. 55155

M. S. Schumacher, New Assistant
Minneapolis Tribune
425 Portland Avenue
Mpls., MN. 55488

Fredrik M. Chirstiansen
Department of Education
Room 911, Captiol Square Bldg.
St. Paul, MN. 55101

Susan P. Robertson, Executive Director
Legislative Comm. to Review Administrative
Rules
Room 430, State Office Bldg.
St. Paul, MN. 55155

PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules;

and

4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 30 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Administration
Board of Electricity

Proposed Rules Amending License and Renewal Fees

Notice of Intent to Adopt Rules without a Hearing
Request for Public Comment

Notice is hereby given that the Board of Electricity has proposed the following rules amending the fees charged for license; issuance and renewal. These rules are promulgated pursuant to Minn. Stat. §§ 214.06 subd. 1 (1980); 15.0412 subd. 4 (1980), as amended by Laws of 1981, ch. 357 § 25; 16A.128 (1980), as amended by Laws of 1981, ch. 357 § 26. These provisions authorize the Board of Electricity to adopt rules amending its fees without a public hearing when the total fees estimated to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

No hearing will be held prior to the promulgation of these rules by the Board of Electricity. All interested persons are hereby afforded the opportunity to submit their comments on the proposed rules for 30 days immediately following publicaton of this material in the *State Register* by writing to Executive Secretary, Board of Electricity, 1821 University Avenue, Room N-191, St. Paul, Minnesota 55104. The proposed rules may be modified if modifications are supported by the data and views submitted. Any written material received shall become part of the record in the final adoption of the proposed rules. Any person who desires to be notified when the proposed rules and record herein are submitted to the Attorney General should so inform the Executive Secretary of the board of Electricity. Publication is hereby ordered.

Rule as Proposed

4 MCAR § 11.032 Licenses, examination and renewal fees.

A. All licenses issued hereunder shall expire one year from the date of issuance, except that an electrical contractor's license shall expire on September 1 of each year.

B. The following fees shall be payable for examination, issuance and renewal:

1. For examination:
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   - b. Class "B" Master — $20.00
   - c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician — $10.00
2. For issuance of original license and renewal:
   - a. Class "A" Master — $35.00
   - b. Class "B" Master — $20.00
   - c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician — ~~$ 7.50~~ $10.00

d. Electrical ~~Contractor's licenses shall be renewed on September 1st of each year. Original & renewal fee~~ Contractor ~~– $10.00~~ – $75.00

C. Any electrical contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to rule Elec 26 shall submit a reissuance fee of $100.00 before the license is reinstated.

Office of Administrative Hearings
Workers' Compensation Division

Proposed Temporary Rules Governing Workers' Compensation

Notice is hereby given that the Office of Administrative Hearings, Workers' Compensation Division, proposed the following temporary rules for the purpose of implementing the provisions of Laws of 1981, ch. 346, governing hearings involving Workers' Compensation. All interested persons may submit data and views on the proposed temporary rules for a period of 20 days. All submissions must be in writing and must be addressed to:

Duane R. Harves
Chief Hearing Examiner
Office of Administrative Hearings
1745 University Avenue
St. Paul, Minnesota 55104

The rules as proposed may be modified if the modifications are supported by the data and views submitted. Any written material submitted will become part of the record and will be submitted to the Attorney General.

Temporary Rules as Proposed

9 MCAR § 2.301 Scope and purpose.

The procedures contained herein shall govern all hearings required to be conducted pursuant to the provisions of the Minnesota Workers' Compensation Laws, Minn. Stat. §§ 176.001 to 176.82, and the Minnesota Administrative Procedure Act, Minn. Stat. §§ 15.0411 to 15.052, as those provisions might apply.

9 MCAR § 2.302 General authority and definitions.

A. Assignment or transfer of cases. The chief hearing examiner has full responsibility for the assignment of cases for trial to the compensation judges. The chief hearing examiner may transfer to another compensation judge the proceedings on any case in the event of the death, extended absence, or disqualification of the compensation judge to whom it has been assigned, and may otherwise reassign such cases if necessary to expedite the proceedings if no oral testimony has been received therein. To the extent practicable, supplemental proceedings (rehearings) shall be assigned to the compensation judge who heard the original proceedings except where the rehearing has been granted by the Workers' Compensation Court of Appeals contrary to the compensation judge's initial order, in which instance the rehearing may be assigned to another compensation judge.

B. Authority of compensation judges. In any case which has been regularly assigned to him/her for trial, a compensation judge shall have full power, jurisdiction and authority to hear and determine all issues of fact and law presented to him/her and to issue such interlocutory and final orders, findings, decisions and awards as may be necessary to the full adjudication of the case.

C. Definitions.

1. "Applicant" means the party initiating an application by the serving and filing of a petition.
2. "Calendar judge" means a workers' compensation judge from the Office of Administrative Hearings.
3. "Chief hearing examiner" means the chief hearing examiner of the Office of Administrative Hearings.
4. "Commissioner" means the commissioner of the Department of Labor and Industry.
5. "Compensation judge" means a workers' compensation judge from the Office of Administrative Hearings.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Amendment of Rules Governing License and Renewal Fees

The Board of Electricity has reviewed all comments relative to amendment to rules proposed at State Register, June 29, 1981, pp. 2902-2903 and affirm its decision at the July 21, 1981 Board meeting to adopt these rules as proposed at State Register, June 29, 1981, pp. 2902-2903.
Motion by Mr. Hill; 2nd by Mr. Gerling that the Board adopt these rules as proposed at State Register, June 29, 1981, pp. 2902-2903.
VOTE: HILL AYE: HOLSING AYE: HANSON AYE: HIEBERT AYE: BORNUS AYE: PETTY AYE: GERLING AYE: UNANIMOUS
ACTION: Approved and Carried.

Darwin Draisey, PRESIDENT
STATE BOARD OF ELECTRICITY

August 4, 1981

M I N N E S O T A
STATE BOARD OF ELECTRICITY
GRIGGS MIDWAY BLDG., ROOM N-191
1821 UNIVERSITY AVENUE
ST. PAUL, MN. 55104

REGULAR BOARD MEETING, JULY 21, 1981 (TUESDAY) 10:00 A. M. - ST. PAUL

Review of applications prior to meeting.

OPENING

Review of applications from 8:50 a.m. to 9:50 a.m.
Meeting called to order at 9:58 a.m. Mr. Hanson presiding.

Roll call, those present: Messrs. Hanson, Bornus, Hiebert, Gerling, Downs, Holsing, Hill and Petty

Also present: Messrs. Quinn, Foley and Synstelien

#1 READING OF MINUTES OF PREVIOUS BOARD AND COMMITTEE MEETINGS
Minutes of Board Meeting, July 7, 1981.
Motion by Mr. Downs; 2nd by Mr. Bornus, that the Board APPROVE the above minutes as read.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

#2 A) DISBURSEMENTS B) SPECIAL EXPENSES & REFUNDS C) FINANICAL REPORTS & MISC.

A) Disbursements

Payroll Register for pay period ending	May 29, 1981	$ 15,212.23
" " " " " "	June 12, 1981	15,212.18
" " " " " "	June 26, 1981	15,318.45
" " " " " "	July 10, 1981	15,260.85
State Equipment Repair # A9414		66.80
State Register Publication Request		54.00
Requisition for Printing # 48314		126.56
Central Stores Requsition # 10607		23.30
DEPARTMENT TRANSMITTAL LETTER,	Batch No. 77	2,977.98
" " "	Batch No. 78	2,468,07
" " "	Batch No. 79	157.75
" " "	Batch No. 1 FY 82	37,808.34
" " "	Batch No. 2 FY 82	22,388.88
INWATS/OUTWATS Telephone Billing for May, 1981		109.91

Motion by Mr. Holsing; 2nd by Mr. Hiebert, that the Board APPROVE the above disbursements.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

B) Special Expenses & Refunds
1. Respectfully request the payment of per diem and travel expenses to Allan Hill, Cecil Holsing and Gordon Gerling for attending a Co-generation meeting on July 16, 1981 at the State Board of Electricity offices.
Motion by Mr. Bornus; 2nd by Mr. Hiebert, that the Board APPROVE the above request.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

ULAR BOARD MEETING, JULY 21, 1981 (TUESDAY) 10:00 A. M. - ST. PAUL

#2 SPECIAL EXPENSES & REFUNDS

B) Special Expenses & Refunds (Cont'd.)

2. Respectfully request the payment of per diem and travel expenses to Mr. Cecil Holsing for attending the Minnesota Chapter I.A.E.I. Educational Seminar on July 17 and 18, 1981 at Hill City, Minnesota.
Motion by Mr. Gerling; 2nd by Mr. Hill, that the Board APPROVE the above request.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

3. Respectfully request the payment of a refund to Electricraft of Duluth, Minnesota in the amount of $496.25 on Certificate S65825 as the work is not to be installed.
Motion by Mr. Gerling; 2nd by Mr. Bornus, that Board APPROVE the above refund request.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

C) Financial Reports & Misc.
NONE

#3 SPECIAL ORDERS OF BUSINESS

1. Appearance of Mr. Gary Johnson and Mr. Daryl O'Connell before the Board at 10:30 a.m. to discuss and clarify the work experience of Daryl O'Connell at Lake Harbor Electric, as his application is being challenged.
ACTION: Mr. Johnson and Mr. O'Connell did not appear. No action taken.

2. That the Board accept the Consent Order recommended by the Complaint Committee involving Steven Eichmiller Electric.
Motion by Mr. Holsing; 2nd by Mr. Downs, that the Board APPROVE the Consent Order involving Steven Eichmiller Electric.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

3. Be it resolved that the rules amending fees proposed at State Register, June 29, 1981 PP. 2092-2093 are hereby adopted as of July 30, 1981, and that John Quinn, Executive Secretary of the Board of Electricity is hereby authorized to take all steps necessary for the formal adoption of these rules, provided that no comments substantially different already received by the Board are received prior to July 30, 1981.
Motion by Mr. Gerling; 2nd by Mr. Downs, that the Board authorize Mr. Quinn to take all necessary steps for the formal adoption of the above rules.
VOTE: HILL AYE: HOLSING AYE: HIEBERT AYE: GERLING AYE: DOWNS AYE: BORNUS AYE: PETTY AYE: UNANIMOUS
ACTION: Approved and Carried.

ADMIN 1000 (Rev. 1/78)
SF-00006-01

STATE OF MINNESOTA

DEPARTMENT STATE BOARD OF ELECTRICITY

Office Memorandum

TO : Jerry Anderson
Attorney General Designee

DATE: 8/5/81

FROM : John D. Quinn
Executive Secretary

PHONE: 297-2297

SUBJECT: BOARD OF ELECTRICITY'S ADOPTED RULES

Per instructions from Robert Clayton, our Attorney General Designee, please find enclosed two additional letters received by the Board of Electricity objecting to the fee increase. There is one additional letter from Paul's Electric at Luverne, Minnesota that is also objecting to the fee increase.

These letters were reviewed by the Board of Electricity at their Regular Meeting on August 4, 1981 and the letter from Paul's Electric was taken home by mistake by one of our Board members. He is mailing this letter back to me today, and I will forward it to you immediately upon receipt.

Also find enclosed a document showing the action taken by the Board of Electricity at their regular meeting of August 4, 1981 to affirm its decision of the July 21, 1981 Board meeting to adopt these rules as proposed.

Thank you.

JDQ/db

enc.

RECEIVED
AUG 5 1981
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

Wendell O. Erickson
District 26B
Rock-Nobles Counties
Committees:
Agriculture
Appropriations
Division of Education
Transportation

House Appointee, Education Commission of the States
House Appointee, Interstate Cooperation Commission

Minnesota House of Representatives

Harry A. Sieben, Jr., Speaker



July 24, 1981

Mr. Clarence B. Joriman
Executive Secretary
State Board of Electricity
Rm. N-191 Griggs Midway Building
1821 University Ave.
St. Paul, MN 55104

Dear Mr. Joriman:

I have been asked to contact you by one of my constituents with regard to the raising of the electrical contractor's license fee from $10.00 to $75.00 per year effective September 1, 1981.

1. I realize that there has not been a fee increase in the electrical contractor's license fee since 1967 and that some increase is justified.

2. I am also aware that the Legislative Auditor has suggested that the State Board of Elecrricity raise its fee enough to cover its costs of operation.

The objection I do have to the "across the board" electrical contractor's license fee being set at $75.00 for everyone is that many of our electrical contractors in the outstate area are a one person operation. It does not seem fair that a contractor with 1 or 2 employees should have to pay the same license fee as one with 50 or more electricians in their employ.

I would suggest that it would be more fair to have a graduated fee based on the size or number of employees. I would appreciate your consideration of this matter.

Sincerely,

Wendell O. Erickson

Wendell O. Erickson
State Representative

WOE/amg

Reply to: ☐ 370 State Office Building, St. Paul, Minnesota 55155 (Office) 612-296-4336
☐ Hills, Minnesota 56138 (Home) 507-962-3785

STATE OF MINNESOTA
STATE BOARD OF ELECTRICITY
GRIGGS MIDWAY BLDG. – ROOM N-191
1821 UNIVERSITY AVENUE
SAINT PAUL, MINN. 55104

OFFICE OF THE
EXECUTIVE SECRETARY
(612) 297-2111

July 28, 1981

Mr. Wendell O. Erickson, State Representative
Minnesota House of Representatives
370 State Office Building
St. Paul, Minnesota 55155

Dear Representative Erickson:

In answer to your letter of July 24, 1981 concerning the increase in the contractor's license fee, let me point out to you the rationale used in increasing these fees.

I can realize anyone's concern about an increase from $10.00 to $75.00 without knowing all the facts. As you pointed out in your letter, the Board has not had a license fee increase since 1967. I would also point out that the Legislative Auditor did not suggest that the Board raise its fees enough to cover its costs.

The Program Evaluation Division of the Office of the Legislative Auditor did a program evaluation of the Board's electrical inspection and license activities and that evaluation was completed in January, 1980. The recommendation from that report stated that the Board should seriously consider changing its fee schedule so that fees bear some relationship to administrative costs. Particular attention should be given to the relationship of the fees paid by the contractors and the fees paid by Master, Journeyman and other electricians. The report also pointed out that the contractor's license costs elsewhere is greater than $50.00 compared to the $10.00 charged in Minnesota.

The administrative costs to renew a contractor's license and regulate each contractor's activities should be the same for a one person operation or for a company that has 50 employees. From our past experience, we actually spend a great deal more time renewing the contractor's license and regulating the activities of the smaller company.

AN EQUAL OPPORTUNITY EMPLOYER

July 28, 1981

Representative Wendell O. Erickson
Minnesota House of Representatives
370 State Office Building
St. Paul, Minnesota 55155

Although your suggestion to have a graduated fee would seem to have merit, in practicality, it would not be workable. The monitoring of each company to determine the amount of employees would take additional staff and increase the administrative costs.

When an agency submits its biennial budget request, it must also submit a fee review report. Our last fee review report indicated our agency had a $90,000 negative accumulative difference through fiscal year 1981. The Commissioner of Finance instructed the Board of Electricity to raise its fees to recover its costs.

A Senate Finance Subcommittee for Semi-State Departments set our fees during the committee hearing during the 1981 session. The contractor's license was set at $100, the Master license at $75 and $25 for all other licenses. This committee set the fees for all regulatory agencies during the committee hearing. The fees, in most cases, were out of line and there was a lot of lobbying to change these fees. The end result was that the 1981 Legislature amended Section 15.042 Subdv. 4 to allow an agency to raise its fees during the fiscal biennium when the total fees received during the fiscal biennium will not exceed 110% of all direct appropriations for that activity.

Before this procedure can be utilized, an agency must receive the approval of the Commissioner of Finance. The Commissioner of Finance did approve our fee increase.

On the surface, the public relations does not look good on this fee increase, but once all the facts are reviewed, this cost is not out of line.

The Board should have raised its fees over the past six years in two or three steps, and it probably would have provided a better public relations impact.

July 28, 1981

Representative Wendell O. Erickson
Minnesota House of Representatives
370 State Office Building
St. Paul, Minnesota 55155

We have mailed out approximately 2,000 contractor's license renewals, and have asked for a response to this fee increase. To date, we have received four negative responses.

I hope that I have provided you with some additional information that will help you answer these questions of your constituents, and if I can be of any further assistance, please feel free to contact me.

Sincerely,

STATE BOARD OF ELECTRICITY

John D. Quinn
Executive Secretary

JDQ/db

Lilla Electric
Electrical - Refrigeration - Heating Service
Comfrey, Minn 56019

7-31-81



State Board of Electricity
1821 University Ave.
St. Paul, Minn. 55104

Gentlemen:

I have a question or two, I hope you will answer promptly.

My Electrical Contractor's License is due for renewal - I understand the fee is now $75.00.

I do no contracting but at times I may wish to do some installing of equipment.

I am mainly engaged in servie now but have been an electrician for almost fifty years.

Is there any other license I may operate under, or am I required to have the Contractor's license, bond and liability insurance if I should at any time take my tools out of the box to do any service, repair or installing?

Please advise.

Sincerely -
O. J. Lilla

PS. I think the law is unfair since no distinction is made between a firm that does a million dollar volume per year and one that does a thousand.

ADMIN. 1000A (REV. 8/76)

22

STATE OF MINNESOTA

DEPARTMENT BOARD OF ELECTRICITY

Office Memorandum

TO : Jerry Anderson
Attorney General Designee

DATE: 8/6/81

FROM : John D. Quinn
Executive Secretary

PHONE: 297-2297

SUBJECT: BOARD OF ELECTRICITY'S ADOPTED RULES

Please find enclosed a letter from Paul's Electric which I indicated that I would forward to you in my memo of August 5, 1981.

Thank you.

JDQ/db

enc.

RECEIVED
AUG 6 1981
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

To Executive Secretary
State Board of Electricity
1821 University Ave
Room N 191 St. Paul, MN 55104

SWENSON ELECTRIC & Develop
WIRING - PLUMBING - HEATING
321 6TH AVENUE
MADISON, MINNESOTA 56256
598-7515

DATE 7-10-81 SUBJECT Amending Licensee & Renewal fee's

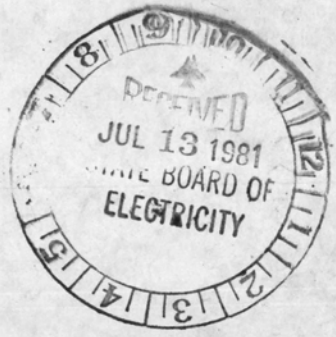
Gentlemen:

I Wish to object to raising Contractors licensee fee to $75. that's a 750% increase! Are you trying to drive the small Contractor out of business?

We already are Plagged with bonds & licenses Minn & So. Dak. With bonds & licenses for Plumbing & Certificates of Insurance.

Why Can't I operate with only My Class A masters Licence & a bond. I Was operating with A Masters long before you invented the Contractors license.

Sincerely,
Sidney L. Swenson


RECEIVED
JUL 13 1981
BOARD OF
ELECTRICITY

Pine City, Mn. 55063
July 3- 81

State Board of Elec:

How come you board of Elec can raise the license fee to $75.00 from $10.00,.

Is that supposed to be 110 Percent of the sum of all direct appropriations, transffers of the old $10.00 fee?

I think you board members are getting pretty wild, a little raise would be in line, but to go whole hog, is too mutch.

Lets Compermise on this thing!.

Yours Edw. France

PAUL'S ELECTRIC

PAUL M. LOOSE
FARM – HOME – COMMERCIAL WIRING
205 East Carol Phone 507 283-4583
Luverne, Minnesota 56156

JULY 27, 1981

I OBJECT!!

I OBJECT TO THE 750% INCREASE IN THE COST OF THE CONTRACTORS LICENSE IN VIEW OF THE DEPRESSED ECONOMIC CONDITION THIS IS REDICULOUS. THERE IS NO NEW CONSTRUCTION, AND VERY LITTLE REMODELING, AND NOT ALL THAT MUCH SERVICE WORK. SO WHERE ARE WE TO REALIZE THE ADDITIONAL MONEY. MANY OF US ARE BARELY MAKING IT, SO WHERIE DOES THE STATE BOARD FEEL IT IS ENTITLED TO RAISE THE LICENSE FEE WHEN EVERYBODY IS CUTTING TO THE BONE TO KEEP GOING. I THINK ITS TIME THE STATE BOARD DOES ITS SHARE OF CUTTING TO. AS I SEE IT, 750% IS SLIGHTLY MORE THAN THE INFLATIONARY RATE WHICH MOST PEOPLE ARE TRYING TO HOLD TO.

TELL ME, HOW MUCH ARE THE MOON LITES PAYING THE STATE BOARD OF ELECTRICITY? HOW MUCH DO THEY PAY FOR A CONTRACTORS LICENSE, FOR AN ELECTRICAL LICENSE, FOR AN INSPECTION FEE? AND FOR REQUIRED

PAUL'S ELECTRIC

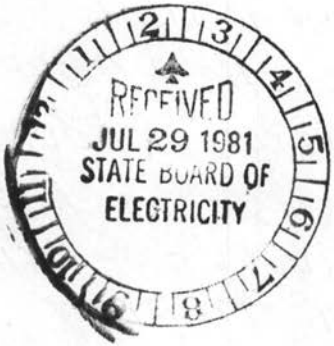
PAUL M. LOOSE
FARM – HOME – COMMERCIAL WIRING
205 East Carol Phone 507 283-4583
Luverne, Minnesota 56156

LIABILITY INSURANCE. WE ARE BEING PENALIZED FOR BEING A LICENSED ELECTRICIAN EVERY TIME ONE OF THEM PULLS A WIRE OR HOOKS AN APPLIANCE.

YOU SAY YOU ARE AN EQUAL OPPORTUNITY EMPLOYER. HOW ABOUT TREATING THE ELECTRICIANS EQUALLY TOO. THE CONTRACTORS LICENSE IS A SET PRICE WHETHER IT INVOLVES ONE MAN OR THE COMPANY WITH TWENTY EMPLOYEES. IS THAT BEING FAIR? OR IS THIS A DEVICE TO HELP ELIMINATE THE SMALL BUSINESS MAN WHICH SEEMS TO PREVAL THROUGHOUT GOVERNMENT

SEEMS TO ME IT WOULD BE MUCH FAIRER TO HAVE ONE RATE FOR A ONE OR TWO MAN SHOP AND AN ESCALATING RATE FOR LARGER SHOPS. AFTER ALL ITS BEEN THE SMALL BUSINESS THAT HAS ALWAYS BEEN THE BACK BONE OF THIS GREAT COUNTRY OF OURS.

Paul M. Loose
Paul's Electric


RECEIVED
JUL 29 1981
STATE BOARD OF
ELECTRICITY

Wendell O. Erickson
District 26B
Rock-Nobles Counties
Committees:
Agriculture
Appropriations
Division of Education
Transportation

House Appointee, Education Commission of the States
House Appointee, Interstate Cooperation Commission

Minnesota House of Representatives

Harry A. Sieben, Jr., Speaker



July 24, 1981

Mr. Clarence B. Joriman
Executive Secretary
State Board of Electricity
Rm. N-191 Griggs Midway Building
1821 University Ave.
St. Paul, MN 55104

Dear Mr. Joriman:

I have been asked to contact you by one of my constituents with regard to the raising of the electrical contractor's license fee from $10.00 to $75.00 per year effective September 1, 1981.

1. I realize that there has not been a fee increase in the electrical contractor's license fee since 1967 and that some increase is justified.

2. I am also aware that the Legislative Auditor has suggested that the State Board of Elecrricity raise its fee enough to cover its costs of operation.

The objection I do have to the "across the board" electrical contractor's license fee being set at $75.00 for everyone is that many of our electrical contractors in the outstate area are a one person operation. It does not seem fair that a contractor with 1 or 2 employees should have to pay the same license fee as one with 50 or more electricians in their employ.

I would suggest that it would be more fair to have a graduated fee based on the size or number of employees. I would appreciate your consideration of this matter.

Sincerely,

Wendell O. Erickson

Wendell O. Erickson
State Representative

WOE/amg

Reply to: ☐ 370 State Office Building, St. Paul, Minnesota 55155 (Office) 612-296-4336

STATE OF MINNESOTA
STATE BOARD OF ELECTRICITY
GRIGGS MIDWAY BLDG. – ROOM N-191
1821 UNIVERSITY AVENUE
SAINT PAUL, MINN. 55104

OFFICE OF THE
EXECUTIVE SECRETARY
(612) 297-2111

July 28, 1981

Mr. Wendell O. Erickson, State Representative
Minnesota House of Representatives
370 State Office Building
St. Paul, Minnesota 55155

Dear Representative Erickson:

In answer to your letter of July 24, 1981 concerning the increase in the contractor's license fee, let me point out to you the rationale used in increasing these fees.

I can realize anyone's concern about an increase from $10.00 to $75.00 without knowing all the facts. As you pointed out in your letter, the Board has not had a license fee increase since 1967. I would also point out that the Legislative Auditor did not suggest that the Board raise its fees enough to cover its costs.

The Program Evaluation Division of the Office of the Legislative Auditor did a program evaluation of the Board's electrical inspection and license activities and that evaluation was completed in January, 1980. The recommendation from that report stated that the Board should seriously consider changing its fee schedule so that fees bear some relationship to administrative costs. Particular attention should be given to the relationship of the fees paid by the contractors and the fees paid by Master, Journeyman and other electricians. The report also pointed out that the contractor's license costs elsewhere is greater than $50.00 compared to the $10.00 charged in Minnesota.

The administrative costs to renew a contractor's license and regulate each contractor's activities should be the same for a one person operation or for a company that has 50 employees. From our past experience, we actually spend a great deal more time renewing the contractor's license and regulating the activities of the smaller company.

AN EQUAL OPPORTUNITY EMPLOYER

July 28, 1981

Representative Wendell O. Erickson
Minnesota House of Representatives
370 State Office Building
St. Paul, Minnesota 55155

Although your suggestion to have a graduated fee would seem to have merit, in practicality, it would not be workable. The monitoring of each company to determine the amount of employees would take additional staff and increase the administrative costs.

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On the surface, the public relations does not look good on this fee increase, but once all the facts are reviewed, this cost is not out of line.

The Board should have raised its fees over the past six years in two or three steps, and it probably would have provided a better public relations impact.

July 28, 1981

Representative Wendell O. Erickson
Minnesota House of Representatives
370 State Office Building
St. Paul, Minnesota 55155

We have mailed out approximately 2,000 contractor's license renewals, and have asked for a response to this fee increase. To date, we have received four negative responses.

I hope that I have provided you with some additional information that will help you answer these questions of your constituents, and if I can be of any further assistance, please feel free to contact me.

Sincerely,

STATE BOARD OF ELECTRICITY

John D. Quinn
Executive Secretary

JDQ/db

STATE OF MINNESOTA

DEPARTMENT OF ADMINISTRATION

SAINT PAUL

BUILDING CODE
DIVISION

408 METRO SQUARE
7TH AND ROBERT STS.
ST. PAUL, MN 55101

Phone: 612/296-4639

June 29, 1981

John Quinn, Executive Secretary
State Board of Electricity
1821 University Avenue
St. Paul, Minnesota 55104

Re: Proposed Rules Amending License and Renewal Fees

Dear Mr. Quinn:

The Department of Administration, Division of Building Codes and Standards has reviewed your proposed rules and Notice of Intent to Adopt Rules Without a Public Hearing and concurs with your proposal.

Will you please notify us of final adoption.

Very truly yours,
BUILDING CODES & STANDARDS

Don Pates

Don Pates
Assistant Director

DP:p



ADMIN 1000 (Rev. 1/78)

STATE OF MINNESOTA

DEPARTMENT OFFICE OF ADMINISTRATIVE HEARINGS

Office Memorandum

TO : EXECUTIVE SECRETARY
State Board of Electricity

DATE: 6/30/81

FROM : DUANE R. HARVES Duane R. Harves
Chief Hearing Examiner

PHONE: 6-8100

SUBJECT: PROPOSED RULES AMENDING LICENSE AND RENEWAL FEES

I have noted that you are intending to adopt the above-referenced rules without a public hearing. As you may know, we worked on this section of the law for two years prior to its adoption. As a result of our interest, certain legislators have requested we maintain records to determine how the system is working.

Therefore, following your final adoption of the rules, I will be sending you a short questionnaire relative to the time and cost involved in this process.

In the meantime, good luck!

DRH:sh



MARVIN WELS

Phone 354-5591

MARV'S ELECTRIC SERVICE

Wiring - Electric Motor Repair - Service Work

~~318 North Payne Street~~ Route 1

New Ulm, Minnesota 56073

July 23, 1981

M. Executive Secretary,

In regard to the proposed rules amending license fees, I feel that raising a Contractor license fee from $10.00 to $75.00 is not realistic. if I raised my charge only half that percentage I'd be out of business tomorrow. I know the cost of doing business goes up every year. mine does too. but can't we keep these increases at a more reasonable rate?

Marvin Wels



Cromwell, Minn.
July 18, 1981

Executive Secretary
State Board of Electricity
1821 University Ave. Room N-191
St. Paul, Minnesota 55104

Dear Sir:

Referring to your letter of June 29, 1981 in which you inform me that the fee for renewal of my electrical contractor's license has been raised from $10.00 to $75.00 I feel that this excessive raise is unjustified.

I hold a Class B contractors license and I must remind you that this severely limits my earning capacity due to its limitations on the work I am permitted to do. However, your fee schedule ($75.00) indicates that it is the same as a Class A which to me seems very unfair.

I am the only licensed contractor in the immediate area but this excessive raise in fees has me considering discontinuing electrical work. This will result in more "do it yourself" work in the area which usually results in no electrical inspection.

Also must I interpret your letter as stating that if I do not renew my contractor's license or allow it to lapse that if I wish to reinstate it at a later date it would cost me $100.00 instead of $75.00?

Your letter invited my comment and the above is mine. I am delaying applying for a renewal of my Class B contractors license pending the response from you on the above.

Sincerely,

F. O. Alberg

F. O. Alberg



IN THE MATTER OF THE
ADOPTION OF RULES BY THE
BOARD OF ELECTRICITY AMENDING
LICENSE FEES

STATEMENT OF COMPLIANCE
WITH MANUAL OF RULE MAKING
PROCEDURE

I, Robert J. Clayton, Special Assistant Attorney General, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making Procedures has been followed to the extent applicable.

Robert J. Clayton
Special Assistant Attorney General

RECEIVED
AUG 3 1981
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES