

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

Our File No. 797

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 3-23-82
DATE FOR REVIEW 4-2-82
DATE DUE 4-7-82

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

Approved 4-2-82 Disapproved _____ Returned to Agency 4-2-82

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

Date filed w/Secretary of State 4-2-82 Revisor approved 3/26/82 disapproved _____

✓ Rule as Adopted

✓ Rule as Proposed See SR.

✓ Order Adopting 3.23.82 Date

_____ Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notices of rulemaking
? Sufficiency provide for public hearing possibility

✓ Affidavits of Mailing Notice or rulemaking
2.16.82 At least 30 days prior to ~~hearing~~/adoption
2.22.82

_____ Mailing list Certificates, 2.16.82 and 2.22.82

✓ Publication in State Register
2.15.82 At least 30/~~20~~ days prior to ~~hearing~~/adoption
Additional Notice, 3.8.82

N/A Hearing Examiner's Report

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

_____ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

? Certificate of Board's Resolution Adopting Rules Bd. acted before expiration of comment period
3.9.82

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

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

✓ Approval from Dept. of Finance 1.11.82

SP-00006-02

DEPARTMENT ATTORNEY GENERAL

STATE OF MINNESOTA
Office Memorandum

TO : JOHN D. QUINN
Executive Secretary of Bd. of Electricity

DATE: 4/2/82

ATTN : ROBERT J. CLAYTON, Spec. Ass't. Atty. Gen.

FROM : JERRY S. ANDERSON
Special Assistant
Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Board of Electricity Governing Inspection Fees and Handling Fee for Request for Inspection Form

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:drw

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

Rule as Adopted

4 MCAR S 11.004 Inspection fees.

A. Payment of fees. Except as provided in Elec 1(b), all state electrical inspection fees are due and payable to the board at or before commencement of the installation and shall be forwarded with the request for inspection.

B. Fee schedule. State electrical inspection fees shall be paid according to the following schedule.

1. The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only ~~$6.00~~ is $8.

2. Services, changes of services, temporary services, additions, alterations, or repairs on either primary or secondary services shall be computed separately.

~~0 to 100 ampere capacity . . . . $7.00~~

The inspection fee for electrical services shall be:

a. ~~101~~ 0 to and including 200 ampere capacity ~~$8.50~~ $10;

b. For each additional 100 ampere capacity or fraction thereof ~~$3.50~~ $4.

3. Circuit, installations ~~of~~, additions, alterations or repairs of each circuit or subfeeder shall be computed separately including circuits fed from sub-feeders and including the equipment served, except as provided for in items a. ~~through~~ k. The inspection fee for electrical circuits shall be:

0 to and including 30 ampere capacity ~~$2.25~~ $3. ~~(~~The maximum number of 0 to 30 ampere circuits ~~to be paid on~~ for which a fee is charged is 30 in any one cabinet. ~~)~~;

31 to and including 100 ampere capacity ~~$3.50~~ $4;

For each additional 100 ampere capacity or fraction thereof $1.

~~a. The maximum fee on a farmstead (farm buildings, including residence) which is limited to 100 ampere capacity . . . . $23.00~~

~~This includes all services, feeders, circuits, fixtures and equipment as per 4 MCAR S 11.004 B. Fee schedule. This maximum~~

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

~~applies when the farmstead is wired as a single installation. Pole top current metering and disconnecting means of the farm yard pole are exempt from inspection and determination of inspection fees.~~

~~b. The maximum fee on a farmstead (farm buildings, including residence) which is limited to 200 ampere capacity. . . . . $37.00~~

~~This includes all services, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule. Pole top current metering and disconnecting means on the farm yard pole are exempt from inspection and determination of inspection fees.~~

~~c. Maximum fee on a single family dwelling shall not exceed $23.00 if not over 100 ampere capacity. This includes service, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule.~~

~~This maximum fee provides for not more than one rough-in inspection and one final inspection per dwelling, additional inspections would be at the re-inspection rate of 4 MCAR § 11.004 B.5.~~

~~d. Maximum fee on a single family dwelling shall not exceed $37.00 if not over 200 ampere capacity. This includes service, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule.~~

~~The maximum provides for not more than three rough-in inspections and one final inspection per dwelling, additional inspections at the re-inspection rate of 4 MCAR § 11.004 B.5.~~

~~e. Maximum fee on an apartment building shall not exceed $16.00 per dwelling unit for the first 20 units and $11.50 per dwelling unit for the balance of units. A 2-unit dwelling (duplex) maximum fee per unit as per single family dwelling.~~

a. The maximum fee on a farmstead wired as a single installation, or on a single family dwelling, shall not exceed $40 if the electrical services are not over 200 ampere capacity. The fee includes service, feeders, circuits, fixtures, and equipment. This maximum fee includes not more than three

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

inspections. Additional inspections shall be charged the reinspection fee specified in 5. Pole top current metering and pole top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

b. The maximum fee on a farmstead wired as a single installation, or on a single family dwelling, shall not exceed $80 if the electrical services are not over 400 ampere capacity. If more than one service entrance is installed on a single family dwelling, the maximum fee for each service shall not exceed $40. This fee includes services, feeders, circuits, fixtures, and equipment. This maximum fee includes not more than four inspections. Additional inspections shall be charged the reinspection fee specified in 5. Pole top current metering and pole top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

c. The maximum fee on an apartment building shall not exceed $18 per dwelling unit for the first 20 units and $14 per dwelling unit for each unit in excess of 20. This maximum fee does not include any circuits other than those in the individual dwelling units. All other circuits shall be calculated as specified in this rule. The maximum fee for each house panel shall not exceed $40. The maximum fee for a two-unit dwelling or duplex shall be the same as for two single family dwellings.

~~f.~~ d. The maximum number of 0 to 30 ampere circuits ~~to be paid~~ for which a fee is charged on any one athletic field lighting standard is ten.

~~g.~~ e. The maximum fee on mobile home park stalls shall not exceed ~~$3.50~~ $6 per unit stall for the first ~~40~~ 20 stalls and ~~$2.00~~ $3 per each additional stall.

~~h.~~ f. In addition to the above fees~~.~~,

~~(1)~~ a charge of ~~$.50~~ $1 will be made for each street lighting standard~~.~~, and

~~(2)~~ a charge of ~~$1.00~~ $2 will be made for each traffic signal standard. Circuits originating within the standard will not be used when computing the fee.

~~i.~~ g. In addition to the above fees the fees for all

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

transformers and generators for light, heat, and power shall be computed separately at ~~$2.00~~ $3 per unit plus ~~10 cents~~ 20 cents per ~~KVA~~ kilovolt-ampere up to and including 100 ~~KVA~~ kilovolt-amperes, 101 ~~KVA~~ kilovolt-amperes and over at ~~5 cents~~ ten cents per ~~KVA~~ kilovolt-ampere. The maximum fee for any transformer or generator in this category is ~~$23.00~~ $25.

~~j.~~ h. In addition to the above fees the inspection fees for all transformers for signs and outline lighting shall be computed at ~~$2.00~~ $3 for the first 500 ~~VA~~ volt amperes or fraction thereof per unit, plus ~~$.20~~ 30 cents for each additional 100 ~~VA~~ volt amperes or fraction thereof.

~~k.~~ i. In addition to the above fees (unless included in the maximum fee filed by the initial installer) the inspection fee for remote control, signal circuits, and circuits of less than 50 volts shall be computed at ~~$2.00~~ $3 per each ten openings or devices of each system plus ~~$.50~~ $1 for each additional ten or fraction thereof.

j. In addition to the above fees, the inspection fee for each separate inspection of a swimming pool shall be computed at $13. Reinforcing steel for swimming pools requires a rough-in inspection.

k. In addition to the above fees, the fees for all wiring on center pivot irrigation booms shall be computed at $25. The fees for all other wiring shall be computed separately as specified in this rule.

4. For the review of plans and specifications of proposed installations, there shall be a minimum fee of ~~$100.00~~, up to and including $30,000 of electrical estimate, plus ~~1/10 of 1%~~ one-tenth of one percent on any amount in excess of $30,000 to be paid by persons or ~~firm~~ firms requesting the review.

5. When reinspection is necessary to determine whether unsafe conditions have been corrected and such conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of not to exceed the original unit fee ~~,~~ or ~~$6.00~~ $8, whichever is less, may be assessed in writing by the inspector.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

6. For inspections not covered herein, or for requested special inspections or services, the fee shall be ~~$14.00~~ $17 per man hour, including travel time, plus ~~16¢~~ 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This ~~section~~ provision is also applicable to inspection of empty conduits and such other jobs as determined by the board.

7. For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be computed as follows:

The fee for inspection of power supply units ~~according to 4 MCAR § 11.004 B.~~ shall be that fee specified in 2 ~~of the fee schedule~~. A like fee will be required on power supply units at each engagement during the season, except that a fee of ~~$14.00~~ $17 per hour will be charged for additional time spent by the inspector, if the power supply is not ready for inspection at the time and date specified on the request for inspection as required by law.

Rides, devices, or concessions shall be inspected at their first appearance of the season, and the inspection fee shall be ~~$6.00~~ $8 per unit.

8. The handling fee to pay the cost of printing and handling the form requesting an inspection shall be $1.

9. For purposes of interpretation of the provisions of this chapter the most recently published edition of the National Electrical Code shall be prima facie evidence of the definitions, interpretations and scope of words and terms used in this chapter.

Effective date. This rule is effective May 1, 1982.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

APPROVED AS TO LEGALITY

4/2 1982

WARREN SPANNAUS, ATTORNEY GENERAL

BY

SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 2 1982
Joan Anderson Growe
Secretary of State

3:20 P.M.

I N D E X

#1 Notice of Intent to Adopt Rule Without Public Hearing

Addition to Notice of Intent to Adopt Rule Without Public Hearing

Rules as Proposed

#2 Statement of Need and Reasonableness

#3 Affidavit of Mailing Notice of Intent to Adopt a Rule Without Public Hearing 2/16/82

Affidavit of Mailing Addition to Notice of Intent to Adopt a Rule Without Public Hearing 2/22/82

#4 Mailing List Certificate 2/16/82

Mailing List Certificate 2/22/82

#5 Certificate of Board's Authorizing Resolution

#6 Order for Notice of Intent to Adopt a Rule Without Public Hearing

#7 Certificate of Board's Resolution Adopting a Rule

#8 Order Adopting

#9 Rules as Adopted

#10 Written Comments on the Rules or Requests for a Public Hearing received by the Board. NONE

#11 Certificate of Compliance with Rule Making Procedures.

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Adoption of Rules of the State Board of Electricity Governing Inspection Fees and Handling Fee for Request for Inspection Form

ORDER ADOPTING RULES

Notice of the Board's intent to adopt the above-entitled rules without a public hearing was published in the State Register on February 15, 1982 and was sent by the United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 15.0412, subdivision 4 on February 16, 1982.

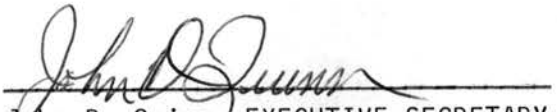
Addition to notice of intent to adopt rules without a public hearing was published in the State Register on March 8, 1982 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes section 15.0412, subdivision 4 on February 22, 1982.

After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, having received no requests for a public hearing and no public comments within the 30-day comment period, and determining the need for and reasonableness of the above-captioned rules,

NOW, THEREFORE, IT IS ORDERED that these rules identified as 4 MCAR § 11.004 are adopted this 23rd day of March, 1982 pursuant to authority vested in the Board by Minnesota Statutes section 214.06.

STATE OF MINNESOTA

BOARD OF ELECTRICITY



John D. Quinn, EXECUTIVE SECRETARY

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Adoption of Rules of the State Board of Electricity Governing Inspection Fees and Handling Fee for Request for Inspection Form

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 12th day of January, 1982 that Notice on Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Board of Electricity for that purpose and be published in the State Register.

STATE OF MINNESOTA

BOARD OF ELECTRICITY

John D. Quinn, EXECUTIVE SECRETARY

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Proposed Amendment
of Rules of the State Board of
Electricity Governing Inspection Fees
and Handling Fee for Request for
Inspection Form

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Darwin Draisey, do hereby certify that I am a member and the President of the Board of Electricity, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Electricity duly and properly called and held on the 8th day of December, 1981, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that John Quinn, Executive Secretary, of the State Board of Electricity is hereby granted the authority and directed to take all steps necessary to adopt Rules without a public hearing amending inspection fees and handling fee for Request for Inspection form and follow the procedures set forth in M. S. 15.0412 Subd. 4h upon receiving approval from the Commissioner of Finance."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 8th day of December, 1981.

Darwin Draisey, PRESIDENT
STATE BOARD OF ELECTRICITY

H. Jack Hanson, Vice-President
STATE BOARD OF ELECTRICITY

SF-00006-01

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Finance

TO John D. Quinn, Executive Secretary
State Board of Electricity

DATE: January 11, 1982

FROM Allen A. Xozamp, Asst. Comm.
State Budget Director

PHONE: 6-5188

SUBJECT: Rate Change Request - Inspection Fees

This memorandum is in response to your rate change proposal increasing the inspection and handling fees charged by the board.

The revised inspection fee schedule is approved as submitted. The request to increase the filing fee to $1.00 is also approved.

Questions regarding the fee approval process can be directed to myself or your controller.

AAY:RH/sks

cc J. Ashton
F. Seemann
D. Watnemo

In the Matter of the Proposed Adoption of Rules of the State Board of Electricity Governing Inspection Fees and Handling Fee for Request for Inspection Form

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

Dolores R. Brueske, being first duly sworn, deposes and says:

That on the 16th day of February, 1982, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Board of Electricity for the purpose of receiving notice of the proposed adoption of rules by this Board of Electricity.

Dolores R. Brueske

Subscribed and sworn to before me this 16th day of February, 1982.

Joanne P. Peterson

JOANNE P. PETERSON
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPT. 19, 1984

In the Matter of the Proposed Adoption of Rules of the State Board of Electricity Governing Inspection Fees and Handling Fee for Request for Inspection Form

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)

) ss.

COUNTY OF RAMSEY)

Dolores R. Brueske, being first duly sworn, deposes and says:

That on the 22nd day of February, 1982, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Addition To Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States mail at said City of St. Paul, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who has requested that their names be placed on file with the State Board of Electricity for the purpose of receiving notice of the proposed adoption of rules by this Board of Electricity.

Dolores R. Brueske

Subscribed and sworn to before me this 22nd day of February, 1982.

Joanne P. Peterson

JOANNE P. PETERSON
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPT. 19, 1984

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption of Rules of the
State Board of Electricity
Governing Inspection Fees and Handling Fee for
Request for Inspection Form

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 15.0412, subd. 4, that their names be placed on file with and maintained by the State Board of Electricity for the purpose of receiving notice of the proposed adoption of rules by this Board of Electricity is accurate and complete as of 11:00 A. M., this 16th day of February, 1982.

Dolores L. Brueske

Subscribed and sworn to before me this 16th
day of February, 1982.

Joanne P Peterson

JOANNE P. PETERSON
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPT. 19, 1984

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

Mr. Steve Olinger, Elect. Foreman
Mankato State University
Administative Services
Mankato, MN. 56001

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

Frundt, Frundt & Johnson
Attorneys at Law
117 W. 5th Street
Blue Earth, MN. 56013

POST Board
500 Metro Square Bldg.
St. Paul, MN. 55101

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

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

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

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

Donald E. Montgomery, Executive Director
The Minnesota Chapter of Associated Builders
and Contractors, Inc.
6300 Walker St., Suite 109
Minneapolis, MN. 55416

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

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

Federal - State Reports, Inc.
5203 Leesburg Pike, Suite 1201
Falls Church, VA. 22041

Mr. Bob Franklin, City Editor
Minneapolis Tribune
425 Portland Avenue
Minneapolis, MN. 55488

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

Sam Ruhle,
Office of Administrative Hearings
400 Summit Bank Bldg.
310 S. Fourth Avenue
Minneapolis, MN. 55415

Dept. of Employee Relations
3rd Floor, Space Center Bldg.
444 Lafayette Road
St. Paul, MN. 55101

Mr. Elroy Berdahl, Code Consultant
Building Code Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Mr. Don Pates, Assistant Director
Building Code Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Mr. Dick Brooks, Assistant Director
Building Code Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Mr. Norman Osterby, Director
Bldg. Codes and Standards Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Building Code Division
Peggi Opalinski
408 Metro Square Bldg.
St. Paul, MN. 55101

Fredrik M. Christiansen
Department of Education
Room 911, Capitol Square Bldg.
St. Paul, MN. 55101

Dept. of Administration
Architectural & Engineering Division
State Office Bldg. Room G-10
50 Sherburne Avenue
St. Paul, MN. 55155

Ms. Susan P. Robertson
Executive Director
Room 430, State Office Bldg.
St. Paul, MN. 55155

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption of Rules of the
State Board of Electricity
Governing Inspection Fees and Handling Fee for
Request for Inspection Form

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. § 15.0412, subd. 4, that their names be placed on file with and maintained by the State Board of Electricity for the purpose of receiving notice of the proposed adotpion of rules by this Board of Electricity is accurate and complete as of 3:00 P. M., this 22nd day of February, 1982.

Dolores R. Brueske

Subscribed ans sworn to before me this 22nd day of February, 1982.

Joanne P Peterson

JOANNE P. PETERSON
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES SEPT. 19, 1984

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

Mr. Steve Olinger, Elect. Foreman
Mankato State University
Administrative Services
Mankato, MN. 56001

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

Frundt, Frundt & Johnson
Attorneys at Law
117 W. 5th St.
Blue Earth, MN.. 56013

POST Board
500 Metro Square Bldg.
St. Paul, MN. 55101

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

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

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

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

Donald E. Montgomery, Executive Director
The Minnesota Chapter of Associated Builders
and Contractors, Inc.
6300 Walker St., Suite 109
Minneapolis, MN. 55416

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

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

Federal - State Reports, Inc.
5203 Leesburg Pike, Suite 1201
Falls Church, VA. 22041

Mr. Bob Franklin, City Editor
Minneapolis Tribune
425 Portland Ave.
Minneapolis, MN. 55488

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

Sam Ruhle,
Office of Administrative Hearings
400 Summit Bank Bldg.
310 S. Fourth Ave.
Minneapolis, MN. 55415

Dept. of Employee Relations
3rd Floor, Space Center Bldg.
444 Lafayette Rd.
St. Paul, MN. 55101

Mr. Elroy Berdah, Code Consultant
Building Code Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Mr. Don Pates, Assistant Director
Building Code Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Mr. Dick Brooks, Assistant Director
Building Code Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Mr. Norman Osterby, Director
Bldg. Codes and Standards Division
408 Metro Square Bldg.
St. Paul, MN. 55101

Building Code Division
Peggi Opalinski
408 Metro Square Bldg.
St. Paul, MN. 55101

Fredrik M. Christiansen
Department of Education
Room 911, Capitol Square Bldg.
St. Paul, MN. 55101

Dept. of Administration
Architectural & Engineering Div.
State Office Bldg. Room G-10
50 Sherburne Ave.
St. Paul, MN. 55155

Ms. Susan P. Robertson
Executive Director
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 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Administration
Board of Electricity

Proposed Amendment of Rules Governing Inspection Fees and Handling Fee for Request for Inspection Form

Addition to Notice of Intent to Adopt Rules without a Public Hearing

The Notice of Intent to Adopt Rules without a Public Hearing and the above referenced matter published at *State Register*, Volume 6, Number 33, pp. 1414-1417, February 15, 1982 (6 S.R. 1414) omitted the following statement:

Persons who wish to be advised of the submission of this material to the Attorney General should contact:

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

Department of Administration
Real Estate Management Division

Proposed Rules Governing Leasing of State Property

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the State of Minnesota proposes to adopt the above entitled rules without a public hearing. The Commissioner of Administration has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes, § 15.0412, subd. 4h (1980).

Persons interested in these rules shall have thirty (30) days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven (7) or more persons submit written requests for a public hearing on the proposed rules within the thirty day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes, § 15.0412, subds. 4-4f.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

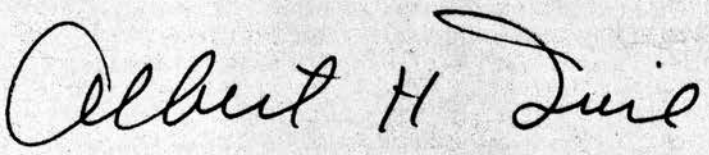
WHEREAS, it is desirable at this point in Minnesota's history to reaffirm the importance of mining to the state and the significance of the body of law which authorizes and guides mineral development in the state;

NOW, THEREFORE, I ORDER:

The responsible departments and agencies of the State of Minnesota are directed to recognize the importance of mining to Minnesota, the tremendous potential for future mineral development, and the impact of their programs on mining; and further, these responsible Departments and agencies are directed to encourage the development of mining in this state, with due concern for the effects of mining on the environment.

Pursuant to Minnesota Statutes 1981, § 4.035, this order shall be effective 15 days after its publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Minnesota Statutes 1981, Section 4.035.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 26th day of January, 1982.



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 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Administration
Board of Electricity

Proposed Amendment of Rules Governing Inspection Fees and Handling Fee for Request for Inspection Form

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the State Board of Electricity ("board") proposes to amend the above-entitled rules without a public hearing. The board has determined that the proposed amendment of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 15.0412, subd. 4h.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. § 15.0412, subds. 4-4f. If a public hearing is requested, identification of the particular objection, the suggested modifications to the proposed language, and the reasons or data relied on to support the suggested modifications is desired.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

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

Authority for the adoption of these rules is contained in Minn. Stat. §§ 214.06 and 326.241 subd. 2(6) (1980). Additionally, a statement of need and reasonableness that describes the need for and identifies the data and information relied upon to support the proposed rules, has been prepared and is available from Mr. Quinn upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to a designee of the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to receive a copy of the final rules as adopted, should submit a written statement of such request to Mr. Quinn.

A copy of the proposed rules is attached to this Notice. Additional copies may be obtained by contacting Mr. Quinn.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11 (1980) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $25.00, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than $25.00, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 40 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

John Quinn, Executive Secretary
State Board of Electricity

Rule as Proposed

4 MCAR § 11.004 Inspection fees.

A. Payment of fees. Except as provided in Elec 1(b), all state electrical inspection fees are due and payable to the board at or before commencement of the installation and shall be forwarded with the request for inspection.

B. Fee schedule. State electrical inspection fees shall be paid according to the following schedule.

1. The minimum fee for each separate inspection of an installation, replacement, alteration, or repair limited to one inspection only ~~$6.00~~ is $8.

2. Services, changes of services, temporary services, additions, alterations, or repairs on either primary or secondary services shall be computed separately.

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.

~~0 to 100 ampere capacity . . . . . $7.00~~

The inspection fee for electrical services shall be:

a. ~~101~~ 0 to and including 200 ampere capacity ~~$8.50~~ $10;

b. For each additional 100 ampere capacity or fraction thereof ~~$3.50~~ $4.

3. Circuit~~,~~ installations ~~of~~, additions, alterations or repairs of each circuit or subfeeder shall be computed separately including circuits fed from sub-feeders and including the equipment served, except as provided for in items a. ~~through~~ k. The inspection fee for electrical circuits shall be:

0 to and including 30 ampere capacity ~~$2.25~~ $3. ~~(~~The maximum number of 0 to 30 ampere circuits ~~to be paid on~~ for which a fee is charged is 30 in any one cabinet~~)~~;

31 to and including 100 ampere capacity ~~$3.50~~ $4;

For each additional 100 ampere capacity or fraction thereof $1.

~~a. The maximum fee on a farmstead (farm buildings, including residence) which is limited to 100 ampere capacity . . . $23.00~~

~~This includes all services, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule. This maximum applies when the farmstead is wired as a single installation. Pole top current metering and disconnecting means of the farm yard pole are exempt from inspection and determination of inspection fees.~~

~~b. The maximum fee on a farmstead (farm buildings, including residence) which is limited to 200 ampere capacity . . . $37.00~~

~~This includes all services, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule. Pole top current metering and disconnecting means on the farm yard pole are exempt from inspection and determination of inspection fees.~~

~~c. Maximum fee on a single family dwelling shall not exceed $23.00 if not over 100 ampere capacity. This includes service, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule.~~

~~This maximum fee provides for not more than one rough-in inspection and one final inspection per dwelling; additional inspections would be at the re-inspection rate of 4 MCAR § 11.004 B.5.~~

~~d. Maximum fee on a single family dwelling shall not exceed $37.00 if not over 200 ampere capacity. This includes service, feeders, circuits, fixtures and equipment as per 4 MCAR § 11.004 B. Fee schedule.~~

~~The maximum provides for not more than three rough-in inspections and one final inspection per dwelling; additional inspections at the re-inspection rate of 4 MCAR § 11.004 B.5.~~

~~e. Maximum fee on an apartment building shall not exceed $16.00 per dwelling unit for the first 20 units and $11.50 per dwelling unit for the balance of units. A 2-unit dwelling (duplex) maximum fee per unit as per single family dwelling.~~

a. The maximum fee on a farmstead wired as a single installation, or on a single family dwelling, shall not exceed $40 if the electrical services are not over 200 ampere capacity. The fee includes service, feeders, circuits, fixtures, and equipment. This maximum fee includes not more than three inspections. Additional inspections shall be charged the reinspection fee specified in 5. Pole top current metering and pole top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

b. The maximum fee on a farmstead wired as a single installation, or on a single family dwelling, shall not exceed $80 if the electrical services are not over 400 ampere capactiy. If more than one service entrance is installed on a single family dwelling, the maximum fee for each service shall not exceed $40. This fee includes services, feeders, circuits, fixtures, and equipment. This maximum fee includes not more than four inspections. Additional inspections shall be charged the reinspection fee specified in 5. Pole top current metering and pole top disconnecting means on the farm yard pole are exempt from inspection and inspection fees.

c. The maximum fee on an apartment building shall not exceed $18 per dwelling unit for the first 20 units and $14 per dwelling unit for each unit in excess of 20. This maximum fee does not include any circuits other than those in the individual dwelling units. All other circuits shall be calculated as specified in this rule. The maximum fee for each house panel shall not exceed $40. The maximum fee for a two-unit dwelling or duplex shall be the same as for two single family dwellings.

~~f.~~ d. The maximum number of 0 to 30 ampere circuits ~~to be paid~~ for which a fee is charged on any one athletic field lighting standard is ten.

~~g.~~ e. The maximum fee on mobile home park stalls shall not exceed ~~$3.50~~ $6 per unit stall for the first ~~40~~ 20 stalls and ~~$2.00~~ $3 per each additional stall.

~~h.~~ f. In addition to the above fees~~:~~,

~~(1)~~ a charge of ~~$.50~~ $1 will be made for each street lighting standard~~.~~, and

~~(2)~~ a charge of ~~$1.00~~ $2 will be made for each traffic signal standard. Circuits originating within the standard will not be used when computing the fee.

~~i.~~ g. In addition to the above fees the fees for all transformers and generators for light, heat, and power shall be computed separately at ~~$2.00~~ $3 per unit plus ~~10 cents~~ 20 cents per ~~KVA~~ kilovolt-ampere up to and including 100 ~~KVA~~ kilovolt-amperes, 101 ~~KVA~~ kilovolt-amperes and over at ~~5 cents~~ ten cents per ~~KVA~~ kilovolt-ampere. The maximum fee for any transformer or generator in this category is ~~$23.00~~ $25.

~~j.~~ h. In addition to the above fees the inspection fees for all transformers for signs and outline lighting shall be computed at ~~$2.00~~ $3 for the first 500 ~~VA~~ volt amperes or fraction thereof per unit, plus ~~$.20~~ 30 cents for each additional 100 ~~VA~~ volt amperes or fraction thereof.

~~k.~~ i. In addition to the above fees (unless included in the maximum fee filed by the initial installer) the inspection fee for remote control, signal circuits, and circuits of less than 50 volts shall be computed at ~~$2.00~~ $3 per each ten openings or devices of each system plus ~~$.50~~ $1 for each additional ten or fraction thereof.

j. In addition to the above fees, the inspection fee for each separate inspection of a swimming pool shall be computed at $13. Reinforcing steel for swimming pools requires a rough-in inspection.

k. In addition to the above fees, the fees for all wiring on center pivot irrigation booms shall be computed at $25. The fees for all other wiring shall be computed separately as specified in this rule.

4. For the review of plans and specifications of proposed installations, there shall be a minimum fee of $100~~.00~~, up to and including $30,000 of electrical estimate, plus ~~1/10 of 1%~~ one-tenth of one percent on any amount in excess of $30,000 to be paid by persons or ~~firm~~ firms requesting the review.

5. When reinspection is necessary to determine whether unsafe conditions have been corrected and such conditions are not the subject of an appeal pending before the board or any court, a reinspection fee of not to exceed the original unit fee~~,~~ or ~~$6.00~~ $8, whichever is less, may be assessed in writing by the inspector.

6. For inspections not covered herein, or for requested special inspections or services, the fee shall be ~~$14.00~~ $17 per man hour, including travel time, plus ~~16¢~~ 24 cents per mile traveled, plus the reasonable cost of equipment or material consumed. This ~~section~~ provision is also applicable to inspection of empty conduits and such other jobs as determined by the board.

7. For inspection of transient projects, including but not limited to carnivals and circuses, the inspection fees shall be computed as follows:

The fee for inspection of power supply units ~~according to 4 MCAR § 11.004 B.~~ shall be that fee specfied in 2 ~~of the fee schedule.~~ A like fee will be required on power supply units at each engagement during the season, except that a fee of ~~$14.00~~ $17 per hour will be charged for additional time spent by the inspector~~,~~ if the power supply is not ready for inspection at the time and date specified on the request for inspection as required by law.

Rides, devices, or concessions~~:~~ shall be inspected at their first appearance of the season, and the inspection fee shall be ~~$6.00~~ $8 per unit.

8. The handling fee to pay the cost of printing and handling the form requesting an inspection shall be $1.

9. For purposes of interpretation of the provisions of this chapter the most recently published edition of the National Electrical Code shall be prima facie evidence of the definitions, interpretations and scope of words and terms used in this chapter.

Effective date. This rule is effective May 1, 1982.

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.

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Proposed Amendment
of Rules of the State Board of
Electricity Governing Inspection Fees
and Handling Fee for Request for
Inspection Form

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING RULES

I, Jefferson K. Petty, do hereby certify that I am a member and the Vice President of the Board of Electricity, a board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Electricity, duly and properly called and held on the 9th day of March, 1982, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

"RESOLVED, that the rules relating to Inspection Fees and Handling Fee for Request for Inspection Form be and they hereby are approved and adopted, pursuant to authority vested in us by Minnesota Statutes 214.06 and that John Quinn, the Executive Secretary of the Board of Electricity, be and hereby is authorized to sign an order adopting these rules after the expiration of the comment period provided that no public comments are received prior to the end of the comment period or that if such comments are received they raise no substantial issues not already considered by the Board and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 9th day of March, 1982.

Jefferson K. Petty, VICE PRESIDENT
STATE BOARD OF ELECTRICITY

Gordon Gerling, SECRETARY
STATE BOARD OF ELECTRICITY

DEPARTMENT OF ADMINISTRATION

STATE BOARD OF ELECTRICITY

In the Matter of the Proposed Amendment
of the Rules of the State Board of
Electricity Governing Inspection Fees
and Handling Fee for Request for
Inspection Form

Statement of Need and Reasonableness:

4 MCAR § 11.004

The Board of Electricity is projecting a negative accumulative difference with its inspection fee activity through fiscal year 1983 of $230,500.00 under its current fees.

To reduce this accumulated difference, the Board must adjust its inspection fees as authorized by Minn. Stat. § 214.06.

Minn. Stat. § 214.06 authorizes all non-health related licensing Boards with the approval of the Commisioner of Finance, to by Rule, 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.

With the proposed fee increases, the Board is projecting a current difference of a plus $6300.00 at the end of fiscal year 1983.

The adjustment of inspection fees would also allow an increase to the contract electrical inspectors to recover their expenses, which are not separately reimbursed, but are paid by the contract inspectors out of the percentage of the inspection fee which they receive pursuant to their contracts with the Board.

The Board's proposed inspection fee increase was approved by the Commissioner of Finance on January 11, 1982

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Adoption of Rules of the State Board of Electricity Governing Inspection Fees and Handling Fee for Request for Inspection Form.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General Robert J. Clayton, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Dated March 23, 1982.

Robert J. Clayton

ROBERT J. CLAYTON