

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

File No. 1416 | Docket No. 05.0009, 0138

DATE RECEIVED 10/26/87 | ADOPTED W/O HEARING X

REVIEW DATE 11/4/87 | EMERGENCY RULE _____

DUE DATE 11/9/87 | REVISOR APPROVED ✓

APPROVED ✓ 11/9/87 gaz | REVISOR DISAPPROVED _____

DISAPPROVED _____ | FILED W/SEC.STATE _____

WITHDRAWN _____ | RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

~~Notice to Solicit Outside Information/Opinion~~

_____ Date published in State Register

_____ Comments

~~Petition for Adoption of a Rule~~

✓ Board's Authorizing Resolution

Proposed rule

_____ Revisor's Certificate

✓ Notice of Intent to Adopt Rule

326.24 | sub 6 Statutory Authority

yes Small Business Statement

no Expenditure of public money statement

~~yes~~ no Signature

✓ Statement of Need and Reasonableness

yes Small Business Statement

no Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

9/4/87 Date 30/25 days before adoption

✓ Publication in State Register

9/7/87 Date 30/25 days before adoption

✓ Resolution Adopting

✓ Findings of Fact, Conclusions & Order Adopting

10/13/87 Date

~~Written requests, submissions or comments~~

✓ Declaration of attorney

Louis Hoffman Name of SAAG representing agency

~~Notice of Submission to Attorney General~~

~~Affidavit of Mailing Notice to Attorney General~~

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : November 10, 1987

TO : LOUIS HOFFMAN
Special Assistant
Attorney General

FROM : JULIE A. LEPPINK
Special Assistant
Attorney General

PHONE : 7-3493

SUBJECT : In the Matter of the Adopted Rules Relating to Licenses; Expiration and Fees - Board of Electricity

The above-referenced rule has been approved as to its legality by the Attorney General on November 9, 1987.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

JAL:nah

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Adminsitrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

Board of Electricity

Adopted Permanent Rule Relating to Licenses; Expiration and Fees

Rule as Adopted

3800.1000 LICENSES; EXPIRATION AND FEES.

Subpart 1. **Expiration.** Except as otherwise provided in this part, all licenses issued or renewed under this part expire two years from the date of issuance or renewal. All Class "A" master, Class "B" master, and master elevator constructor licenses issued or renewed prior to March 1, 1989, expire on March 1, 1989. Class "A" master, Class "B" master, and master elevator constructor licenses issued or renewed on or after March 1, 1989, expire March 1 of the next odd-numbered year after issuance or renewal. Electrical contractor licenses issued or renewed expire March 1 of each even-numbered year after issuance or renewal. Alarm and communication contractor licenses expire July 1 of each odd-numbered year after issuance or renewal.

Subp. 2. **Examination, issuance, and renewal fees.** The following fees shall be payable for examination, issuance, and renewal:

A. For examination for each class of license, $25.

B. For issuance of original license and renewal:

(1) Class "A" master and master elevator constructor, $35 a year;

(2) Class "B" master, $20 a year;

(3) Class "A" journeyman, Class "B" journeyman, Class "A" or "B" installer, elevator constructor, maintenance, lineman, or special electrician, $10 a year; and

(4) Electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class "A" master or master elevator constructor license is issued in accordance with subpart 1 for less than two years, the fee for the license shall

OK- had just typed! Just changing year of print.

be prorated on a quarterly basis. The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued in accordance with subpart 1.

Subp. 4. **Refunds.** A license fee may not be refunded after a license is issued or renewed. However, if the fee paid for a license was not prorated in accordance with subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to part 3800.0800 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $3.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

9:03 AM
MFH

NOV 10 1987

Joan Anderson Growe
Secretary of State

APPROVED AS TO FORM AND LEGALITY

November 9 19 87

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Julie A. Jasinski
SPECIAL ASSISTANT ATTORNEY GENERAL

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Proposed
Rule of the State Board of Electricity
Governing Licenses, Expiration, Fees

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Arthur M. Tieso, do hereby certify that I am a member and the President of the State 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 11th day of August 1987, 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 governing licenses, expiration, fees and follow the procedure set forth in M.S. 14.22 to 14.28."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of August, 1987.

Arthur M. Tieso, President
State Board of Electricity

Darwin Draisey, Vice-President
State Board of Electricity

Board of Electricity

Proposed Permanent Rule Relating to Licenses; Expiration and Fees.

Rule as Proposed

3800.1000 LICENSES~~:~~; EXPIRATION~~,~~ AND FEES.

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(1) Class "A" master and master elevator constructor, $35 a year;

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Approved by Revisor DSN

lineman, or special electrician, $10 a year; and

(4) Electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class "A" master or ~~Class "B"~~ master elevator constructor license is issued ~~or renewed~~ in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a ~~monthly~~ quarterly basis ~~for each month or part of a month that the license is issued or renewed~~. The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued ~~or renewed~~ in accordance with subpart 1.

Subp. 4. **Refunds.** A license fee may not be refunded after a license is issued or renewed. However, if the fee paid for a license was not prorated in accordance with ~~the requirements of~~ subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to part 3800.0800 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $3.

Approved by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Licenses; Expiration and Fees

AGENCY: Board of Electricity

MINNESOTA RULES: Chapter 3800

The attached rules are approved for publication in the State Register

David S. Niss
Assistant Revisor

Department of Administration

Board of Electricity

Proposed Rule of the State Board of Electricity Amending License Renewal Dates and Pro Rating of License Fees

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the State Board of Electricity ("board") proposes to adopt the above-entitled rules without a public hearing. The board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minn. Stat. § 14.22 to 14.28. Authority for the adopting of these rules is contained in Minn. Stat. § 326.241 subd. 6. Additionally, a statement of need and resonableness 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.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule with the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdrew their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to Minnesota Statutes, sections 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule.

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

Mr. John Quinn
Executive Secretary
State Board of Electricity
N-191, Griggs Midway Building
1821 University Avenue
Saint Paul, Minnesota 55104
Telephone (612) 642-0800

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule noticed.

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the agency upon request.

You are hereby advised, pursuant to Minn. Stat. § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rule amendments will have no adverse effect on small businesses.

Minnesota Statutes, Chapter 10A requires each lobbyist to register with the Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minnesota Statutes, section 10A.10, Subdivision 11 as an 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 $250.00, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislation or administrative action by communicating or urging others to communicate with public officials; or,

(b) Who spends more than $250.00, not including 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.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert St., St. Paul, Minnesota 55101, (612) 296-5148.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General's office for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit written request to the State Board of Electricity.

John Quinn

John Quinn, Executive Secretary
State Board of Electricity

STATE BOARD OF ELECTRICITY

Proposed License Renewal Dates and Pro-rating of License Fees

Statement of Need and Reasonableness

MINNESOTA RULE 3800.1000

The Board is changing the renewal date of all Master type licenses to expire on March 1 of each odd-numbered year. Master licenses would be renewed for one year on March 1, 1988 and then on March 1, 1989 renewed for two years to expire March 1, 1991 and thereafter renewed each odd-numbered year. New licenses would be pro-rated on a quarterly basis.

Currently all Master licenses expire on the same date as the Electrical Contractor's Licenses, which creates a very heavy workload, requiring overtime and possibly the hiring of part-time help.

In addition, the majority of the license fees are collected in the even-numbered year and it is impossible to budget our administrative costs on a fiscal year basis and a cash flow problem could occur in the coming years.

New licenses are presently pro-rated on a monthly basis. As a new license is effective the date license fee is paid, the rate could change if the fee is not paid the same month the person is notified of passing the examination.

This rule would even out the amount of fees received on a fiscal year basis and solve our cash flow concerns, reduce workload in even-numbered years, and resolve most of the problems that occur in the pro-rating of fees.

SMALL BUSINESS CONSIDERATIONS IN RULEMAKING

Most of the businesses regulated by the Board of Electricity are small businesses and the Board has framed all of these regulations considering the needs of small business because the Board estimates 80% of all licensed contractors are small business as defined in M.S. 14.115.

The adoption of a staggered system for renewing contractor licenses and individual licenses such as Master licenses will save small business money because they will enable the Board to use fewer personnel to process the licenses and thereby, lower the administrative costs which would be passed on to the small business in the form of license fees. It will also help the cash flow of small business by evening out the payments which they must make for license fees to the Board.

a) The compliance and reporting requirements under Minnesota Rule 3800.1000 subpart 1 through subpart 7 were framed for the needs of small business in mind.

b) The compliance with reporting requirements contained in amendments to this rule were drafted with the needs of small business in mind. They will have a minimal impact on small business. The Board will notify all contractors concerning renewal dates for licenses and fees and procedures to be followed in renewing the licenses so that small businesses will not have to monitor the law or research the requirements.

c) The amendments to these regulations by splitting the reporting requirements to a staggered system will have a minimal impact on the administrative burden carried by small business and, for the reason stated above, will help small business by minimizing the needs for possible license increases and evening out the cash flow of the small business.

d) This requirement is inapplicable to these requirements.

e) It is not possible to exempt small business from this rule since it would be inequitable to require only large business to pay license fees and carry licenses.

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Permanent Rule
Relating to Licenses; Expiration and Fees

AFFIDAVIT OF MAILING

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

That by the 4th day of September, 1987, at the City of Saint Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Intent to Adopt Rules Without a Public Hearing by depositing in the United States Mail at said City of Saint Paul, a copy thereof, properly enveloped, with postage prepaid, on all person and associations who have requested that their names be placed on file with the State Board of Electricity for the purpose of receiving notice fo the proposed adoption of rules by this State Board of Electricity.

Dolores R. Brueske

Subscribed and sworn to before me

This 4th day of September, 1987

Helen P. Conrad
(Notary Public)

HELEN P. CONRAD
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My Commission Expires Nov. 1, 1988

MAILING LIST - THE FOLLOWING PERSONS WISH TO BE NOTIFIED OF PROPOSED NEW OR REVISED RULES

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

deceased

Dennis R. Johnson
3837 - 24th Ave. S.
Mpls., MN. 55406

Associated Builders & Contrs, Inc.
6989 Washington Avenue South
Edina, MN. 55435

Mr. Glenn Strub, Manager
Minnesota Electrical Association
3100 Humboldt Avenue So.
Mpls., MN. 55408

MN. School of Electricity, Inc.
Mr. Wm. Polta
8053 E. Bloomington Freeway
Bloomington, MN. 55420

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

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

POST Board
333 Sibley St., Suite 495
St. Paul, MN. 55101

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

Building Code Division
ATTN: Peggi Opalinski
408 Metro Square Bldg.
7th & Robert Sts.
St. Paul, MN. 55101

Building Code Division
Norman Osterby
408 Metro Square Bldg.
St. Paul, MN. 55101

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

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

Wolverton Engineering Co.
3953 N.E. Arthur Street
Columbia Heights, MN. 55421

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

Thomas M. Polt
Attorney at Law
McCarthy Bldg.
Eyota, MN. 55934

Associated Bldrs & Contrs, Inc.
Mr. Dan Foth, Exec. Director
6989 Washington Avenue South
Edina, MN. 55435

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

Antitrust Division
MN. Attorney General's Office
Mr. Tom Catania
117 University, 2nd Floor
St. Paul, MN. 55155

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

Mpls. Tribune
425 Portland Ave.
Mpls., MN. 55488

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

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

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

Kathleen Burek, Executive Director
L.C.R.A.R.
Room 510, State Office Bldg.
St. Paul, MN. 55155

State of Minnesota

STATE REGISTER

Department of Administration—Documents Division



Published every Monday

7 September 1987

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RECEIVED
8 SEP 1987
STATE BOARD OF
ELECTRICITY

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grain warehouse operator must issue a currently-dated warehouse receipt for the grain being moved and stored. All storage charges must be paid through the date of cancellation of the original warehouse receipt.

1562.2200 TERMINATION OF LICENSE; CHANGE OF OWNERSHIP.

When a license is terminated by reason of sale, discontinuance of business, failure to renew a license, or for any other reason, the grain buyer or warehouse operator must discontinue buying grain from producers or storing grain, and redeliver or purchase all grain belonging to others in the warehouse. If a licensee sells or leases a grain warehouse to another person, proper indemnity must be provided to all depositors. Agreement in writing by the warehouse operator's successor to assume liability for all warehouse receipts outstanding at the time of take-over and reissuance of warehouse receipts by the successor constitutes sufficient indemnity. The commissioner must be notified of a change in ownership so that a new license and bond may be issued.

REPEALER. Minnesota Rules, parts 1560.5400; 1560.5500; 1560.5600; 1560.5700; 1560.5800; 1560.5900; 1560.6000; 1560.6100; 1560.6200; 1560.6300; 1560.6400; 1560.6500; 1560.6600; 1560.6700; 1560.6800; 1560.6900; 1560.7000; 1560.7100; 1560.7200; 1560.7300; 1560.7400; 1560.7500; and 1560.7600 are repealed.

Board of Electricity

Proposed Permanent Rule Relating to Licenses; Expiration and Fees.

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the State Board of Electricity ("board") proposes to adopt the above-entitled rules without a public hearing. The board 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* § 14.22 to 14.28. Authority for the adopting of these rules is contained in *Minnesota Statutes* § 326.241 subd. 6. 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.

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Any person may make a written request for a public hearing on the rule with the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdrew their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes,* sections 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule.

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State Board of Electricity
N-191, Griggs Midway Building
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The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule noticed.

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the agency upon request.

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.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rule amendments will have no adverse effect on small businesses.

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John Quinn, Executive Secretary
State Board of Electricity

Rule as Proposed

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(4) Electrical contractor and alarm and communication contractor, $75 a year.

Subp. 3. **Prorating fees.** If a new Class "A" master or ~~Class "B"~~ master elevator constructor license is issued ~~or renewed~~ in accordance with subpart 1 for less than two years, the fee for the license shall be prorated on a ~~monthly~~ quarterly basis ~~for each month or part of a month that the license is issued or renewed~~. The electrical contractor's and alarm and communication contractor's license fee shall be prorated on a quarterly basis for each quarter or part of a quarter that the license is issued ~~or renewed~~ in accordance with subpart 1.

Subp. 4. **Refunds.** A license fee may not be refunded after a license is issued or renewed. However, if the fee paid for a license was not prorated in accordance with ~~the requirements of~~ subpart 3, the amount of the overpayment shall be refunded.

Subp. 5. **Reissuance fee.** Any electrical contractor or alarm and communication contractor who seeks reissuance of his or her license after it has been revoked or suspended pursuant to part 3800.0800 of the Board of Electricity shall submit a reissuance fee of $100 before the license is reinstated.

Subp. 6. **Duplicate license fee.** The fee for the issuance of each duplicate license is $3.

Adopting

DEPARTMENT OF ADMINISTRATION

BOARD OF ELECTRICITY

In the Matter of the Proposed
Rule fo the State Board of
Electricity Governing Licenses,
Expiration, Fees

CERTIFICATE OF BOARD"S

AUTHORIZING RESOLUTION

"Resolved, that the Board of Electricity has examined all the documents and has received no comments or requests for hearing and that the rules amending license expiration and fees published in the State Register, September 7, 1987 pp. 407-408 are hereby adopted as published effective five working days after final publication in the State Register, and that John Quinn, Executive Secretary of the Board of Electricity is hereby authorized to take all steps necessary for the final adoption of these rules.

I hereby certify that the following is a true and correct copy of a resolution adopted by the Board of Electricity is hereby authorized to take all steps necessary for the final adoption of these rules.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13th day of October, 1987.

Arthur M. Tieso, President
State Board of Electricity

Darwin Draisey, Vice-President
State Board of Electricity

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Adoption of the Rule of the State Board of Electricity Governing Licenses, Expiration, Fees

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Board's intent to adopt the above-entitled rule was published in the State Register on September 7, 1987 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on September 4, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rule-making.

No submissions or comments on the rule were received by the agency. No requests for notice of submission to the attorney general were received by the agency.

Based on the comments and evidence in the record before the agency, we find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Licenses, Expiration, Fees is adopted this 13th day of October, 1987, pursuant to the authority vested in the Board.

ARTHUR M. TIESO, PRESIDENT
State Board of Electricity

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Adoption
of the Rule of the State Board
of Electricity Governing Licenses,
Expiration, Fees

DECLARATION
OF COUNSEL

I, Louis Hoffman, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedures Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0138.

LOUIS HOFFMAN
Special Assistant
Attorney General

Dated: October 15, 1987

Proposed Rule
In the mail ✓

Rule
Not all new material.

The following classifications have been added to the list to pay fees:

- Master Elevator Constructor
- Elevator Constructor
- Maintenance
- line man
- Alarm & Communication Contractors.

Q: Prior to this rule, did the above classifications fall under the following:

1) Class A Master,
2) Class B Master,
3) Class A Journeyman or
4) Class B Journeyman?

If not, shouldn't the Commissioner of Finance have approved the ~~fee change~~ establishment of these fees? 16A.128 subd 1.

Notice of Intent

Our copy was not signed however there is a signature block.

Authority

~~326~~ 326.241 Subd 6 ~~&~~

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : Attorney General's Office
1100 Bremer Tower

DATE : 10-14-87

TO : Rita Desmond
Administration Division
200 Administration Building

FROM : Louis Hoffman
Special Assistant
Attorney General

PHONE : 6-6468

SUBJECT : In the Matter of the Proposed Rules of the State Board of Electricity Governing Licenses, Expiration, Fees

Enclosed are copies of the Declarations of the Attorney General as well as originals of all materials regarding the above-entitled rules.

If you have any questions with respect to this matter, please let me know.

/je

Enclosures

Rule

RECEIVED
ATTORNEY GENERAL'S OFFICE
OCT 26 1987
204 ADMINISTRATION BLDG.
50 SHERBURNE AVENUE
ST. PAUL, MN 55155

INDEX

1. Certificate of Board of Electricity's Authorizing Resolution, Minn. Rules pt. 2010.0300C.

2. Copy of proposed rule with a Certificate of Approval as to Form by the Revisor of Statutes, Minn. Rules pt. 2010.0300D.

3. Notice of Intent to Adopt Rules Without a Public Hearing as Mailed, Minn. Rules pt. 2010.0300E.

4. Statement of Need and Reasonableness, Minn. Rules pt. 2010.0300F.

5. Affidavit of Mailing Notice of Intent to Adopt Rules Without a Public Hearing plus mailing list. Minn. Rules pt. 2010.0300G.

6. Copy of the Notice of Intent to Adopt Rules Without a Public Hearing as published in the State Register, Minn. Rules pt. 2010.0300H.

7. Four copies of the Rule as adopted, Minn. Rules pt. 2010.0300I.

8. Certificate of Board of Electricity's Resolution Adopting the Rule, Minn. Rules pt. 2010.0300J.

9. Findings of Fact, Conclusions, and Order Adopting Rule Without Public Hearing, Minn. Rules pt. 2010.0300K.

10. Declaration of Counsel, Minn. Rules pt. 2010.0300M.