

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

DEPARTMENT: Office of the Attorney General

STATE OF MINNESOTA

OFFICE MEMORANDUM

DATE: March 20, 1991

TO: JOHN QUINN
Executive Secretary
State Board of Electricity

FROM: MARTHA J. CASSERLY
Special Assistant
Attorney General

PHONE: 296-6839

SUBJECT: In the Matter of the Adopted Rule Relating to License Fees

The above-referenced rule has been approved as to its legality by the Attorney General on March 15, 1991.

Enclosed is your 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, submissions or comments along with any extra copies of documents which you submitted to the Attorney General.

Your next step is to arrange for publication of the Notice of Adoption in the State Register. In a day or two, you should receive from the Revisor's Office three copies of the notice of adoption of your rule. You should submit two copies of the Notice of Adoption to the State Register for publication. A permanent rule without a hearing does not become effective until five days after a notice of adoption is published 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.

MJC:sc

cc: Louis Hoffman
William Brown, Chief Judge
MaryAnn Hruby

Board of Electricity

Adopted Permanent Rules Relating to License Fees

Rules as Adopted

3800.3590 LICENSES; EXPIRATION AND FEES.

[For text of subpart 1, see M.R.]

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, $35.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, $40 a year;

(2) Class B master, $25 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, $15 a year; and

(4) electrical contractor and alarm and communication contractor, $100 a year.

[For text of subps 3 to 6, see M.R.]

EFFECTIVE DATE. The amendments to part 3800.3590, subpart 2, are effective July 1, 1991.

APPROVED AS TO FORM AND LEGALITY

March 15 19 91

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY M J Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAR 19 1991

Joan Anderson Growe
Secretary of State

4:04 pm

MJC

RULE REVIEW CHECKLIST

File No. 1803
DATE RECEIVED 3-6-91
REVIEW DATE 3-15-91
DUE DATE 3-20-91
(DIS)APPROVED 3-15-91
WITHDRAWN _____

Docket No. 15-6009-0138
ADOPTED W/O HEARING _____
EMERGENCY RULE _____
TO REVISOR ON 3-7-91
REVISOR (DIS)APPROVED 3-13-91
FILED W/SEC. OF STATE 3-19-91
RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

_____ Notice to Solicit Outside Information/Opinion (if applicable)
_____ Date published in State Register
_____ Comments

_____ Petition for Adoption of a Rule

✓ Board's Authorizing Resolution
December 11, 1990 Date adopted

✓ Proposed Rule
✓ Revisor's Certificate

_____ Notice of Intent to Adopt Rule
326.241 subd 6 Statutory Authority cite should be 326.241 subd 2, (6)
_____ Small Business Statement
_____ Expenditure of public money statement
326.241 subd 6 Signature undated

_____ Statement of Need and Reasonableness (if applicable)
_____ Small Business Statement
✓ Fees - § 16A.128 - call no approval from Jenance or notice to Leg Comm.

✓ Affidavit of Mailing Notice of Intent to Adopt Rule
January 3, 1991 Dated 30/25 days before adoption
✓ Notice attached indicates it is attached
_____ Copy of rule or summary attached

✓ Publication in State Register
January 7, 1991 Date 30/25 days before adoption

✓ 180-day deadline from:
✓ Effective date of law requiring rule (14.12) (both rules) amendments don't apply
✓ end of comment period (§ 14.26) (rules without hearing)
✓ effective date of statutory authority (§ 14.29) (emergency rules)

✓ Resolution Adopting
February 12, 1991 Date adopted

_____ Findings of Fact, Conclusions & Order Adopting
February 12, 1991 Date

_____ Written Requests, Submissions or Comments - call

_____ Declaration of Attorney
Louis Hoffman Name of SAAG representing agency

_____ Notice of Submission to Attorney General (if applicable)

S T A T E O F M I N N E S O T A

B O A R D O F E L E C T R I C I T Y

O F F I C E M E M O R A N D U M

Date: March 8, 1991

To: Patricia Nolte, Attorney Generals Office
Suite 500
525 Park Avenue
St. Paul, MN 55103

From: John D. Quinn, Executive Secretary

Subject: PROPOSED PERMANENT RULES RELATING TO LICENSE FEES

Pursuant to our phone conversation, please find enclosed the following documents that you requested:

A memo from John Quinn to Senator Gene Merriam, Chairman, Senate Finance Committee; a memo from John Quinn to Representative Wayne Simoneau, Chairman, House Appropriations Committee; and a memo to John Quinn from Bruce J. Reddemann, Director of Budget Operations approving the Board's fee increase for examination and licensing fees.

Thank you.

JDQ:jk
Enc.

State Board of Electricity
1821 University Avenue
St. Paul, MN 55104
612-642-0804

Office Memorandum

Date: December 24, 1990

To: Senator Gene Merriam
Chairman, Senate Finance Committee

From: John D. Quinn
Executive Secretary

Subject: PROPOSED PERMANENT RULES RELATING TO LICENSE FEES

In accordance with Minnesota Statues § 16A.128 Subdivision 2A, please find enclosed the Board's Notice to Adopt Rules without a Public Hearing and a copy of the proposed rule and Statement of Need and Reasonableness.

Thank you.

JDQ:bke
Enc.

State Board of Electricity
1821 University Avenue
St. Paul, MN 55104
612-642-0804

Office Memorandum

Date: December 24, 1990

To: Representative Wayne Simoneau
Chairman, House Appropriations Committee

From: John D. Quinn
Executive Secretary

Subject: PROPOSED PERMANENT RULES RELATING TO LICENSE FEES

In accordance with Minnesota Statues § 16A.128 Subdivision 2A, please find enclosed the Board's Notice to Adopt Rules without a Public Hearing and a copy of the proposed rule and Statement of Need and Reasonableness.

Thank you.

JDQ:bke
Enc.

SF-00006-05 (4/86)

DEPARTMENT : of Finance

STATE OF MINNESOTA

Office Memorandum

DATE : November 28, 1990

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

FROM : Bruce J. Reddemann, Director
Budget Operations

PHONE : 296-5188

SUBJECT : Examination and License Fee Increase

The following fees are approved to become effective July 1, 1991:

Fee	Current Fee	Approved Fee
Examination Fee	$25	$35
License Fees:		
Electrical Contractor	75	100
Alarm and Communication Contractor	75	100
Class "A" Master	35	40
Class "B" Master	20	25
All Other Types (Journeymann, Etc.)	10	15

Approved B.J. Reddemann 11/28/90

B.J. Reddemann, Director
Budget Operations & Support

Stat. Authority 326.241 subd 6
cite should be 326.241 Subd 2 (6)
The board shall have the power to
(6) Adopt reasonable rules to carry
out its duties under sections
326.241 to 326.248 and to provide
for the amount and collection
of fees for inspection and other
services. All rules shall be
adopted in accordance with
chapter 14.

They did this last time missing
the subd 2 there is no other
(6) except under subd 2 so its
obviousers ~~what~~ that they meant
326.241 ~~Subd~~ Subd 2 (6)
We did let it go last time.

Findings of Fact
missing subd (5) a statement of the
number of ~~a~~ persons that requested
a hearing
Findings indicate there's no comments
received but then it states "Based
on the comments and evidence in
the record Fees
also missing (3) a statement notice of intent was sent to

Fees 16A. 128
Indicates in SOLAR that they received approval from finance
no memo from finance
where is evidence that they sent notice and the proposed rules to chairs of the house appropriations committee and senate finance committee

3-7-91 called L. Hoffman

did not receive any requests for a hearing —

need memo from finance
need letters from house appropriations and senate finance

Sous is going to get back to me.

3-8-91 John Quinn - Elected Board
642-0809 no comments going to sent finance memo and ~~letter~~ letters to house appropriations and senate finance

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of Proposed Amendments to the Permanent Rules relating to Licenses; Expiration and Fees

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

(1) Notice of the Board's intent to adopt the above-entitled rule was published in the State Register on January 7, 1991 and was sent by United States mail to all persons on the list maintained by the agency, pursuant to Minnesota Statues, sections 14.14, subdivision 1a and 14.22 on January 3, 1991. (2) 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 list and published in the State Register and was available to the public.

(4) All persons were given the opportunity to submit comment on the rule for 30 days after the notice of proposed rulemaking.

(7) 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. (8)

NOW, THEREFORE, IT IS ORDERED that the rule identified as Inspection Fees is adopted this 12th day of February, 1991, (9) pursuant to the authority vested in the Board.

Robert Seanger

ROBERT SEANGER, PRESIDENT
State Board of Electricity

DEPARTMENT: ATTORNEY GENERAL-Bremer Tower

State of Minnesota

Office Memorandum

DATE: March 4, 1991

TO: **PATRICIA S. NOLTE**
Legal Assistant
525 Park, Suite, 500

FROM: **LOUIS HOFFMAN**
Special Assistant
Attorney General

PHONE: 6-9418

Rec 3-6-91

SUBJECT: **In the Matter of the Proposed Amendments to Permanent Rules Relating to Licenses; Expiration and Fees**

Enclosed please find the documents listed in the attached index, all relative to the above-referenced matter.

Should you have any further questions with respect to these proposed rules or any of the materials attached hereto, please let me know.

LH:ew/.tk7
Enclosure(s)

Board of Electricity

Proposed Permanent Rules Relating to 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 rule without a public hearing. The Board has determined that the proposed adoption of this rule 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 this rule 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 rule, 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 within 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 withdraw their requests 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, section 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule effective July 1, 1991.

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
S-173 University Avenue
St. 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.

(11)

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

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.

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 Street, St. Paul, Minnesota 55101, (612) 296-5148.

(9) 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 of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to the State Board of Electricity.

John Quinn, Executive Secretary
State Board of Electricity

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. Transmittal Letter of Statement of Need and Reasonableness to Legislative Commission to Review Administrative Rules, Minn. Stat. § 14.131.

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

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

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

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

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

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

BOARD OF ELECTRICITY

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

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Robert Seanger, 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 December, 1990, 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 the steps necessary to adopt rules governing amendments to permanent rules relating to Licenses, Expiration and Fees as approved by the Department of Finance upon receiving the rule approved as to form from the revisor of statutes."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 11th day of December, 1990.

Robert Seanger, President
State Board of Electricity

George Meyer, Vice President
State Board of Electricity

SMALL BUSINESS CONSIDERATIONS IN RULEMAKING

Most of the businesses regulated by the Board of Electricity ("Board") are small businesses. The Board estimates that eighty percent of all licensed electrical contractors are small businesses, as defined by Minn. Stat. § 14.115. Individual license holders and applicants are not businesses. The Board has framed all of these regulations by considering the needs of small business by making the regulations easy to understand and comply with and by minimizing the increase in fees.

a) There are no compliance or reporting requirements.

b) There are not schedules or deadlines for compliance or reporting requirements.

c) There are no compliance or reporting requirements to consolidate or simplify.

d) There are no design or operation standards required.

e) Because the cost of license fees must be equivalent to the Board's cost in issuing licenses, it would not be feasible to exempt small businesses. Further, the fees in question are reasonable, as are the proposed increases. In addition, because the Board is mandated to increase fees to meet its proposed expenses, the burden would have to be borne by the twenty percent of electrical contractors who are not small businesses and by individual license holders and examinees if special consideration were given to small businesses.

STATEMENT OF NEED AND REASONABLENESS

This rule is needed because Minn. Stat. § 214.06 mandates that examining and licensing boards, by rule and with approval of the Commissioner of Finance, adjust fees which they are empowered to assess so that the total fees collected by each board will, as closely as possible, equal their anticipated expenditures during the fiscal biennium, as provided for by Minn. Stat. § 16A.28. The Board of Electricity ("Board"), pursuant to this statutory mandate, must increase its license fees to meet increasing expenditures.

The Department of Finance has approved the proposed fee increase for all licensing categories and examinations.

It is reasonable for the Board to increase its license and examination fees as it has projected that the revenue collected during the 1992-93 biennium under the existing fee schedule will be $147,000.00 short of projected expenditures. The licensing and examination fees have not been increased since 1981. The proposed fee increase is reasonable because it allows the Board to meet its projected expenditures.

Board of Electricity

Proposed Permanent Rules Relating to License Fees

Rules as Proposed

3800.3590 LICENSES; EXPIRATION AND FEES.

[For text of subpart 1, see M.R.]

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~~ $35.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, ~~$35~~ $40 a year;

(2) Class B master, ~~$20~~ $25 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, ~~$10~~ $15 a year; and

(4) electrical contractor and alarm and communication contractor, ~~$75~~ $100 a year.

[For text of subps 3 to 6, see M.R.]

EFFECTIVE DATE. The amendments to part 3800.3590, subpart 2, are effective July 1, 1991.

Approved by Revisor

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to License Fees

AGENCY: Board of Electricity

MINNESOTA RULES: Chapter 3800

The attached rules are approved for
publication in the State Register

Carla M. Riehle
Assistant Revisor

STATEMENT OF NEED AND REASONABLENESS

This rule is needed because Minn. Stat. § 214.06 mandates that examining and licensing boards, by rule and with approval of the Commissioner of Finance, adjust fees which they are empowered to assess so that the total fees collected by each board will, as closely as possible, equal their anticipated expenditures during the fiscal biennium, as provided for by Minn. Stat. § 16A.28. The Board of Electricity ("Board"), pursuant to this statutory mandate, must increase its license fees to meet increasing expenditures.

The Department of Finance has approved the proposed fee increase for all licensing categories and examinations.

It is reasonable for the Board to increase its license and examination fees as it has projected that the revenue collected during the 1992-93 biennium under the existing fee schedule will be $147,000.00 short of projected expenditures. The licensing and examination fees have not been increased since 1981. The proposed fee increase is reasonable because it allows the Board to meet its projected expenditures.

SMALL BUSINESS CONSIDERATIONS IN RULEMAKING

Most of the businesses regulated by the Board of Electricity ("Board") are small businesses. The Board estimates that eighty percent of all licensed electrical contractors are small businesses, as defined by Minn. Stat. § 14.115. Individual license holders and applicants are not businesses. The Board has framed all of these regulations by considering the needs of small business by making the regulations easy to understand and comply with and by minimizing the increase in fees.

a) There are no compliance or reporting requirements.

b) There are no schedules or deadlines for compliance or reporting requirements.

c) There are no compliance or reporting requirements to consolidate or simplify.

d) There are no design or operation standards required.

e) Because the cost of license fees must be equivalent to the Board's cost in issuing licenses, it would not be feasible to exempt small businesses. Further, the fees in question are reasonable, as are the proposed increases. In addition, because the Board is mandated to increase fees to meet its proposed expenses, the burden would have to be borne by the twenty percent of electrical contractors who are not small businesses and by individual license holders and examinees if special consideration were given to small businesses.

STATE OF MINNESOTA
STATE BOARD OF ELECTRICITY
GRIGGS-MIDWAY BLDG.-ROOM S-173
1821 UNIVERSITY AVENUE
SAINT PAUL, MINN. 55104

OFFICE OF THE
EXECUTIVE SECRETARY
(612) 642-0800

February 12, 1991

Maryanne Hruby
Legislative Commission
To Review Administrative Rules
Room 55 State Office Building
100 Constitution Avenue
St. Paul, MN 55155

RE: In the Matter of Proposed Amendments to
Permanent Rules Relating to Licenses;
Expiration and Fees

Please find enclosed the Board's Statement of Need and Reasonableness regarding the above matter.

Sincerely,

STATE BOARD OF ELECTRICITY

John Quinn
Executive Secretary

JQ:bke
Enc.
cc: Louis Hoffman

In the Matter of the Proposed Repeal of Permanent Rules of the Board of Electricity relating to License Fees

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING AND CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Barbara K. Ellinger, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statues, Sections 14.14, Subdivision 1a and 14.22 or 14.30, that their names be placed on the State Board of Electricity rulemaking mailing list is accurate, complete, and current as of this 3rd day of January, 1991.

That on the 3rd day of January, 1991, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the United States mail a copy thereof, with postage prepaid to all persons and associations on the aforementioned mailing list.

Barbara K. Ellinger
Asst. Office Manager

Subscribed and sworn to before me
this 3rd day of January, 1991.

Joanne P Peterson

JOANNE P. PETERSON
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Commission Expires Sept. 19, 1995

RULES MAILING LIST
Rev. 12/03/90
Rules.lst

Building Code Division
408 Metro Square Bldg.
St. Paul, MN 55101
ATTN: Elroy Berdahl

R. K. Larson
Outdoor Amusement Bus.
4600 W. 77th Street
Mpls, MN 55435

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

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

Jim Grant
Jim's Elec. Co., Inc.
1250 Industrial Park Rd.
Baxter, MN 56401

Assoc. Builders & Cont.
6989 Washington Ave. So.
Edina, MN 55435

Jean Dawson, Editor
Minnesota Govnmt. Report
B-12 Press Rm. St. Cap'l
St. Paul, MN 55155

Robert Buescher
Bomar Elec. Co., Inc.
7026 13th Ave. So.
Mpls, MN 55423

Mr. Glenn Strub, Mgr.
Minn. Electrical Assoc.
3100 Humboldt Ave. So.
Mpls, MN 55408

Assoc. Bldrs & Contrs.
Dan Foth, Exec. Dir.
6989 Washington Ave. S.
Edina, MN 55435

L.C. Brethorst,
Isenberg Electric
Lafayette, MN 56054-0365

MN School of Elec. Inc.
Mr. Wm. Polta
8053 E. Bloomington Fwy
Bloomington, MN 55420

Phillips Legis. Service
459 Rice Street
St. Paul, MN 55103

Terry Korthof
Wright Electric, Inc.
15080 23rd Ave. No.
Plymouth, MN 55447

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

Antitrust Div., Atty Gen
Mr. Tom Catania
117 University
St. Paul, MN 55155

Ken L. Javens
Javens Electric
Route 3, Box 20A
Mankato, MN 56001

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

Mpls. Tribune
425 Portland Ave.
Mpls, MN 55488

Walt Passe
717 W. 5th Street
Wabasha, MN 55981

POST Board
1600 University Ave W200
St. Paul, MN 55104

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

James Neil
Neil Electric Co.
Box 724
St. Cloud, MN 56302

Lowell Torseth
Bd of Architecture,
500 Metro Square Bldg.
St. Paul, MN 55101

Sam Ruhle
Off of Adm. Hearings
310 S. 4th Ave. Ste 400
Mpls, MN 55415

Sherlan J. Baker
Baker Electric, Inc.
340 45th Street NW
Willmar, MN 56201

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

Kathleen Burek
L.C.R.A.R.
Rm. 510 State Off Bldg.
St. Paul, MN 55155

David Hanson
Hanson Electric
908 E. 1st St.
Park Rapids, MN 56470

Building Code Division
408 Metro Square Bldg.
St. Paul, MN 55101
ATTN: Dick Brooks

Bulletin Publ. Corp.
Eldon R. Anderson
7163 E. Pt. Douglas Rd.
Cottage Grove, MN 55016

Mr. Loren Halder
Loran's Electric Serv.
360 S. 4th Street
Bird Island, MN 55310

Mr. Roger Garner
5342 132nd St. S.
Savage, MN 55378

Mr. Bob Gfroerer
702 Dunwoody Blvd.
Mpls, MN 55403

Ron Klick
Gorgen Co.
2301 No. 2nd St.
Mpls, MN 55411

Richard P. Owen
Bldg. Insp. & Design
445 City Hall
St. Paul, MN 55102

Randy Redetzke
Bentec Engineering Corp
13050 Pioneer Trail
Eden Prairie, MN 55347

Robert L. Mathews
3M Electrical
Bldg 42 - 7W-C3
900 Bush Ave
St. Paul, MN 55133

Thomas A. Renshaw
Mgr. of Engineering
Grist Mill Company
21340 Hayes Avenue
Lakeville, MN 55044

Richard W. Freeman
3M Consumer Prod Plant
Highway 22 South
Hutchinson, MN 55350

Marty Johnson
c/o Martin Automatic
1661 Northrock Crt.
Rockford, IL 61103

Jerry Westlund
Westlund Automation Inc.
P.O. Box 324
Long Lake, MN 55356

Mike Fosse
Dakota Electric Assn.
4300 220th St.
Farmington, MN 55024

Rules as Proposed (all new material)

1515.2550 LIVESTOCK WEIGHING SERVICES FEES.

Subpart 1. **Purpose.** The purpose of this part is to set fees for livestock weighing services under *Minnesota Statutes*, section 17A.11.

Subp. 2. **Fees.** The fees for livestock weighing services performed by the Department of Agriculture are as follows:

A. cattle, 22 cents per head;

B. calves, 15 cents per head;

C. hogs, 13 cents per head; and

D. sheep, ten cents per head.

Board of Electricity

Proposed Permanent Rules Relating to 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 rule without a public hearing. The Board has determined that the proposed adoption of this rule 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 this rule 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 rule, 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 within 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 withdraw their requests 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*, section 14.13 to 14.20. If no hearing is requested, the agency will adopt the proposed rule effective July 1, 1991.

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
S-173 University Avenue
St. 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 rule is attached to this notice. Additional copies may be obtained by contacting Mr. Quinn.

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.

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 administration 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 Street, 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 of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit a written request to the State Board of Electricity.

John Quinn, Executive Secretary
State Board of Electricity

Rules as Proposed

3800.3590 LICENSES; EXPIRATION AND FEES.

[For text of subpart 1, see M.R.]

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~~ $35.

B. For issuance of original license and renewal:

(1) Class A master and master elevator constructor, ~~$35~~ $40 a year;

(2) Class B master, ~~$20~~ $25 a year;

(3) Class A journeyman, Class B journeyman, Class A or B installer, elevator constructor, maintenance, lineman, or special electrician, ~~$10~~ $15 a year; and

(4) electrical contractor and alarm and communication contractor, ~~$75~~ $100 a year.

[For text of subps 3 to 6, see M.R.]

EFFECTIVE DATE. The amendments to part 3800.3590, subpart 2, are effective July 1, 1991.

Department of Human Services

Proposed Permanent Rules Relating to Children in Need of Protection or Services

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Human Services intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, sections 260.242 and 393.07.

All persons have 30 days or until 4:30 p.m. on February 6, 1991 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 within 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 withdraw 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 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to: Stephanie L. Schwartz, Rules Division, Minnesota Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3816, (612) 297-4302.

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 as noticed.

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
Amendments to the Permanent
Rules relating to Licenses;
Expiration and Fees

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING RULE

"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 Licenses; Expiration and Fees published in the State Register January 7, 1991, pp. 1534-1535 are hereby adopted as published effective July 1, 1991, after final publication in the State Register and that John Quinn, Executive Secretary of the Board of Electricity is hereby authorized to take all the 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.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of February, 1991.

ROBERT SEANGER, PRESIDENT
State Board of Electricity

GEORGE MEYER, VICE PRESIDENT
State Board of Electricity

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
BOARD OF ELECTRICITY

In the Matter of the Proposed Amendments to the Permanent Rules relating to Licenses; Expiration and 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

LOUIS HOFFMAN
Special Assistant
Attorney General

Dated: February 12, 1991