

DRAFT

STATEMENT OF NEED AND REASONABLENESS

Proposed Amendment to Rules Relating to Licensing,
Minnesota Rules, Chapter 3800; Revisor's ID Number R-04949

Minnesota Board of Electricity

July, 2025

General information:

1. Availability: The State Register notice, this Statement of Need and Reasonableness (SONAR), and the proposed rule will be available during the public comment period on the Agency's Public Notices website: [Rulemaking docket for Minnesota Rules Chapter 3800; R-04949 | Board of Electricity](#)
2. View older rule records at: [Minnesota Rule Statutes](#)
<https://www.revisor.mn.gov/rules/status/>
3. Agency contact for information, documents, or alternative formats: Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact Amanda Spuckler, Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155; telephone 651-284-5361; email dli.rules@state.mn.us; or use your preferred telecommunications relay service.

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Acronyms

APA	Administrative Procedures Act
ALJ	Administrative Law Judge
Board	Minnesota Board of Electricity
CFR	Code of Federal Regulations
Department	Minnesota Department of Labor and Industry
MAT	MN Association of Townships
Minn. R. pt	Minnesota Rules part
Minn. Stat.	Minnesota Statutes
MMB	Minnesota Management and Budget
MN	Minnesota
MORS	MN Office of the Revisor of Statutes
NEC	National Electrical Code
OAH	Office of Administrative Hearings
SONAR	Statement of Need and Reasonableness

Introduction and Overview

Introduction

The Minnesota Board of Electricity (“Board”) proposes to adopt amendments to Minnesota Rules, chapter 3800, Licensing, to adopt rules that modify existing requirements for acceptable work experience for electrical license applicants and adopt rules establishing requirements for the approval of electrical training programs that may be used to fulfill the experience credit requirements for electrical license applicants.

Background

Prior to 2007, the Board administered and enforced the Minnesota Electrical Code and adopted rules governing licensure for electrical workers and administered those rules. In 2007, the Minnesota Legislature revised the responsibilities of the Board to include adopting the electrical code, adopting rules that regulate the licensure or registration of the electrical industry, and issuing the final interpretations of the electrical code.¹ All other responsibilities for the administration and enforcement of the Minnesota Electrical Code and the issuance and enforcement of licensing for electrical workers were transferred to the Commissioner of the Department of Labor and Industry (“Commissioner”).²

As a result of this transfer of responsibilities, the amendments establishing requirements for the approval of electrical training programs were erroneously numbered and transferred from chapter 3800 to chapter 3801, which is adopted by the Department of Labor and Industry (“Department”). However, the Board continued to maintain the authority to adopt rules governing licensure of the electrical industry, including the adoption of rules governing the requirements for approval of electrical training programs for applicants for electrical licensure, while the Commissioner is responsible for administering and enforcing the rules adopted by the Board. The proposed rules relocate several amendments governing approval of electrical training programs from chapter 3801 to chapter 3800 because the Board, and not the Commissioner, has the authority to adopt those rules.

¹ See [Laws of Minnesota 2007, chapter 140, article 5, sections 19 and 32 \[presently codified at Minnesota Statutes, section 326B.32, subdivision 2 \(2024\)\]](#).

² See [Laws of Minnesota 2007, chapter 140, article 2, section 3](#); See also Minnesota Statutes, section 326B.32, subdivision 2(a) (2024) (“...the commissioner of labor and industry shall administer and enforce the provisions of this chapter and any rules promulgated thereto.”)

Statement of General Need

The proposed amendments to rules are needed and intended to update requirements for applicants for electrical licensure. Specifically, the proposed amendments revise the current acceptable minimum experience requirements for applicants for electrical licensure and adopt rules establishing requirements for the approval of electrical training programs that may be used to fulfill the experience credit requirements for electrical license applicants. These rules governing approval of electrical training programs are currently located in chapter 3801, which is adopted by the Department. The Department is proposing the repeal of those amendments to chapter 3801 as part of a contemporaneous rulemaking so that they may be adopted by the Board, which has the authority to adopt rules governing licensure of the electrical industry, including the adoption of rules governing the requirements for approval of electrical training programs ([Rulemaking docket for Minnesota Rules Chapter 3801 | Minnesota Department of Labor and Industry](#)). There are no substantive changes to the requirements for approval of electrical training programs.

Scope of Proposed Amendments

The following chapters of Minnesota rules are affected by the proposed changes:

- Chapter 3800, Licensing (Minnesota Board of Electricity)
- Chapter 3801, Electrical Procedures and Training (Minnesota Department of Labor and Industry)

Statutory Authority

The Board's statutory authority to adopt the rules is stated in Minnesota Statutes, section 326B.32, subdivision 2 (a)(5):

Subd. 2. Powers; duties; administrative support. (a) The board shall have the power to:

(1) elect its chair, vice-chair, and secretary;

(2) adopt bylaws that specify the duties of its officers, the meeting dates of the board, and containing other provisions as may be useful and necessary for the efficient conduct of the business of the board;

(3) adopt the Minnesota Electrical Code, which must be the most current edition of the National Electrical Code and any amendments thereto. The board shall adopt the most current edition of the National Electrical Code and any amendments thereto pursuant to chapter 14 and as provided in subdivision 6, paragraphs (b) and (c);

(4) review requests for final interpretations and issue final interpretations as provided in section 326B.127, subdivision 5;

(5) adopt rules that regulate the licensure or registration of electrical businesses, electrical contractors, master electricians, journeyworker electricians, Class A installer, Class B installer, power limited technicians, and other persons who perform electrical work except for those individuals licensed under section 326.02, subdivisions 2 and 3. The board shall adopt these rules pursuant to chapter 14 and as provided in subdivision 6, paragraphs (d) and (e);

Under this statute, the Board has the necessary statutory authority to adopt the proposed rules.

Public Participation and Stakeholder Involvement

Consistent with the Administrative Procedures Act (APA), the Board published a Request for Comments in the Minnesota State Register on [date]. To increase accessibility and opportunity for feedback, the Board also created a web page which displayed relevant information on this rulemaking process and provided the opportunity to make comments. The webpage was available from the time the Request for Comments was published until the Board published the Dual Notice of Intent to Adopt Rules.

The Board held a public meeting where the rule was presented. The meeting was open to the public and members of the public were permitted to offer comment on the proposed rule.

Finally, in accordance with the requirements of Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400, the Board sought input and comments from the public, stakeholders, and individuals affected by these rules. These activities are described in detail on pages 16-19 of this SONAR.

Reasonableness of the Amendments

General Reasonableness

The proposed rule is reasonable to modify existing requirements for acceptable work experience for electrical license applicants and to adopt rules establishing requirements for the approval of electrical training programs that may be used to fulfill the experience credit requirements for electrical license applicants. The rules establishing requirements for approval of electrical training programs were erroneously transferred to chapter 3801 and the proposed rulemaking corrects that error.

Rule-by-Rule Analysis

The proposed amendments to part 3800.3520 modify the minimum experience requirements for licensure. Proposed parts 3800.3620 to 3800.3685 are new and are substantively similar to current parts 3801.3820 through 3801.3865 and parts 3801.3880 and 3801.3885, which are being proposed for repeal as a part of a contemporaneous rulemaking by the Department under Minnesota Rules, Chapter 3801. Any differences in proposed parts 3800.3620 to 3800.3685 from the current requirements in chapter 3801 are minor and only intended to update references to rule parts accordingly and to clarify the responsibilities of the Board and the Department for approval of electrical training programs.

CHAPTER 3800 LICENSING AND TRAINING

The proposed amendments add new rule parts 3800.3620 to 3800.3685 that contain requirements for the approval of electrical training programs. Therefore, it is reasonable to amend the title of this chapter to include training.

3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; ACCEPTABLE EXPERIENCE

Subp. 4. Acceptable experience for certain categories in certain situations. The proposed rule deletes item C and reletters items D and E as items C and D, accordingly. Item C permits applicants for electrical licensure to obtain the minimum experience necessary to qualify for the licensure examination by performing electrical work in Minnesota for an employer that is exempt from licensing and inspection requirements when the work performed is equivalent to experience obtained while employed by a licensed contractor. This includes work performed by on federal property by a federal employee, which is not required to be inspected by the Department. The current rule requires Department staff to perform an on-site inspection to determine that the applicant has performed work that is equivalent to the work that would be performed for a licensed electrician or licensed contractor. However, an on-site inspection by Department staff is insufficient to determine that the applicant has completed the required hours of experience or to verify the type of electrical work performed. The other items in this subpart require a Minnesota licensed contractor or electrician to supervise the work or a similarly qualified employer outside of the state to verify and provide certification of the type of work and number of hours of work performed by the applicant. It is reasonable to delete item C because Department staff cannot determine whether experience obtained while employed by an entity that is exempt from both licensing and inspection requirements is equivalent to experience obtained while employed by an entity that is subject to both licensing and inspection requirements.

Electrical Training Programs

Proposed parts 3800.3620 through 3800.3685 are relocated from parts 3801.3820 through 3801.3885 and address requirements for electrical training programs that can be used to fulfill the experience credit requirements for electrical license applicants. The parts were previously located in chapter 3800 but were erroneously renumbered as chapter 3801 due to legislation that that transferred some of the responsibilities of the Board relating to the Minnesota Electrical Code and licensing to the Commissioner of the Department of Labor and Industry.³ This legislation required the Department to approve two-year electrical courses while the Board continued to be responsible for the adoption of rules governing the licensing of person who perform electrical work, which includes the requirements for the approval of electrical programs. Current rule parts 3801.3820 through 3801.3885 are proposed for repeal as a part of concurrent rulemaking for Minnesota Rules, Chapter 3801.

3800.3620 PURPOSE.

Proposed part 3800.3620 is substantially similar to current part 3801.3820 but the rule parts that establish requirements for the approval of electrical programs have been renumbered due to the relocation of these rule parts from chapter 3801 to chapter 3800.

3800.3625 DEFINITIONS.

Subpart 1. Scope. The proposed rule adds this subpart to clarify that the definitions in this part apply to requirements for electrical training programs in proposed parts 3800.3620 to 3800.3685. This is substantively similar to current part 3801.3825, subpart 1, but the part numbers are updated due to relocation of the requirements for electrical training programs to this chapter.

Subp. 2. Advanced standing. The proposed definition of “advanced standing” is identical to the definition located in current part 3801.3825, subpart 2, and is relocated to chapter 3800 without any changes.

Subp. 3. Approval period. The proposed definition of “approval period” is identical to the definition located in current part 3801.3825, subpart 3, and is relocated to chapter 3800 without any changes.

³ See [Laws of Minnesota 2007, chapter 140, article 2, section 3](#).

Subp. 4. Board. The proposed rule adds a definition of “Board.” This definition is not located in the current part 3801.3825, but is added to the proposed rule to clarify that references to the “board” in parts 3800.3620 to 3800.3685 mean the Board of Electricity.

Subp. 5. Course. The proposed definition of “course” is identical to the definition located in current part 3801.3825, subpart 4, and is relocated to chapter 3800 without any changes.

Subp. 6. Electrical work. The proposed definition of “electrical work” is identical to the definition located in current part 3801.3825, subpart 5, and is relocated to chapter 3800 without any changes.

Subp. 7. Independent study. The proposed definition of “independent study” is identical to the definition located in current part 3801.3825, subpart 6, and is relocated to chapter 3800 without any changes.

Subp. 8. Survey. The proposed definition of survey is identical to the definition located in current part 3801.3825, subpart 7, and is relocated to chapter 3800 without any changes.

3800.3627 TWO-YEAR ELECTRICAL PROGRAM.

The proposed rule part is relocated from part 3801.3830 without any substantive changes to the requirements for approval of two-year electrical programs. The proposed rule only updates the rule parts that an electrical program is required to comply with from parts 3801.3820 to 3801.3870 to parts 3800.3620 to 3800.3670 due to the relocation of those rule parts to this chapter.

3800.3631 POWER LIMITED TECHNICIAN PROGRAM.

The proposed rule part is relocated from current part 3801.3831 without any changes to the requirements for power limited technician programs. The proposed rule updates the references to rule parts from 3801.3830 and 3801.3880 to 3800.3627 and 3800.3680, respectively, due to the relocation of those rule parts to chapter 3800.

3800.3640 APPLICATION FOR PROGRAM APPROVAL.

Subpart 1. Content. The proposed rule subpart is relocated from current part 3801.3840, subpart 1, without changes to items A through F. Proposed item G is modified from current part 3801.3840, subpart 1, to clarify that the application for approval of an electrical programs must be signed by the administrator and the department head of the program. The change is not substantive and merely clarifies the individuals that are required to sign the application.

Subp. 2. Processing. The proposed rule subpart is relocated from current part 3801.3840, subpart 2, and the first sentence of the subpart and items C and D are revised to replace references to “technical program committee” with “commissioner” because the Commissioner of the Department of Labor and Industry is responsible for the approval of two-year electrical programs.⁴ Items C and D are further revised to refer to the “board” rather than “the full board” because the a technical program committee is not responsible for recommendations for approval or disapproval of programs. The proposed changes are reasonable to clarify the responsibilities of the Commissioner and Board for the approval of two-year electrical programs.

3800.3645 REPORTING AND REAPPLICATION FOR APPROVAL.

The proposed rule part is relocated from current part 3801.3845 with minor changes to each item. The references to the “board” in items A through D are replaced with “commissioner” because the Commissioner is responsible for approval of two-year electrical programs rather than the Board.⁵ Specifically, proposed item A is changed from part 3801.3845, item A, to require the administrator of an approved program to submit an annual report to the Commissioner, instead of the Board. Item A is also changed to clarify that the department head refers to the head of an approved program and that individual along with administrator must sign the annual report. There are no changes to the content that must be submitted as a part of the annual report. Item B is changed to allow the commissioner rather than the Board to modify the initial time period for reapproval of a currently approved program, which is reasonable because the Commissioner is responsible for program approvals. Item C is changed to require the administrator of an approved program to provide information as a part of a survey when requested by the Commissioner, rather than the Board, because the Commissioner administers surveys of approved programs. Lastly, item D is changed to require the administrator of an approved program to notify the Commissioner when an approved program is discontinued. The proposed change is reasonable so the Commissioner is aware that a program is no longer in operation and that applicants for electrical licensure may no longer attend that program to fulfill the experience credits that are required for licensure.

3800.03650 REMOVAL OF APPROVAL.

The proposed rule is relocated from current part 3801.3850 without any changes other than updating the references to rule parts in items B and C. Item B is updated to refer part 3800.3645 because the proposed rule relocates requirements for annual reporting to that rule part. Item C is

⁴ See [Minnesota Statutes, section 326B.33](#).

⁵ See *id.*

updated to refer to part 3800.3645, item B, because the requirements for reapplication are relocated to that rule part and item.

3800.3655 VERIFICATION OF COMPLETION.

The proposed rule part is relocated from current part 3801.3855 without any changes other than requiring the provider of an approved program to verify to the Commissioner, rather than the Board, that an applicant for electrical license has completed the program. The proposed change is reasonable because the Commissioner is responsible for issuing licenses for electrical work and therefore may need to verify that an applicant has completed an approved two-year electrical program.

3800.3660 TWO-YEAR ELECTRICAL PROGRAM CONTENT.

The proposed rule part is relocated from current part 3801.3860 without any changes to the subparts or the requirements for two-year electrical program content.

3800.3665 QUALIFICATIONS OF INSTRUCTORS FOR TWO-YEAR PROGRAMS.

Subpart 1. Generally. The proposed subpart is relocated from current part 3801.3865, subpart 1, without any changes.

Subp. 2. Licensing, experience, and education. The proposed subpart is relocated from current part 3801.3865, subpart 1, without any changes to items C through F. The proposed rule changes items A and B to replace the references to the “Board” with the “Department of Labor and Industry” because the Department rather than the Board issues electrical worker licenses. There are no changes to the qualifications of instructors in this subpart.

Subp. 3. Recent initial experience. The proposed subpart is relocated from current part 3801.3865, subpart 3, without any changes.

3800.3680 POWER LIMITED TECHNICIAN PROGRAM CONTENT.

The proposed rule part is relocated from current part 3801.3880 without any changes to the subparts or the requirements for power limited technician program content.

3800.3685 QUALIFICATIONS OF INSTRUCTORS FOR POWER LIMITED TECHNICIAN PROGRAMS.

Subpart 1. Generally. The proposed subpart is relocated from current part 3801.3885, subpart 1, without any changes.

Subp. 2. Licensing, experience, and education. The proposed subpart is relocated from current part 3801.3885, subpart 1, without any changes to items C through I. The proposed rule changes items A and B to replace the reference to the “Board” with the “Department of Labor and Industry” because the Department rather than the Board issues electrical work licenses and enters into license reciprocity agreements with other states. There are no changes to the qualifications of instructors in this subpart.

Subp. 3. Recent initial experience. The proposed subpart is relocated from current part 3801.3885, subpart 3, without any changes.

Regulatory Analysis

Classes Affected

A description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.

Those who probably will be affected by the proposed rule, those who will bear the costs of the proposed rule, and those who will benefit from the proposed rule are applicants for electrical licensure and administrators and program heads of electrical training programs.

Department/Agency Costs

The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.

Because the Board only adopts rules governing licensure of electrical workers and does not administer those rules, the Board will not incur any costs associated with the adoption of the proposed rule. The Department of Labor and Industry provides administrative support to the Board and enforces the rules adopted by the Board. There are no costs to the Department associated with proposed rule because the requirements proposed for adoption are currently enforced by the Department.

There is no anticipated effect on state revenues as a rule of the implementation and enforcement of the proposed rule.

Less Costly or Intrusive Methods

A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.

The Board has determined that there are no less costly or intrusive methods for achieving the purpose of the proposed rule, which is to correct a renumbering error that transferred rules governing the approval of electrical training programs from chapter 3800 to chapter 3801. The concurrent adoption of the proposed amendments governing approval of electrical training in chapter 3800 and the repeal of those same provisions in chapter 3801 was determined by both the Board and the Department as the least intrusive method of achieving that purpose.

Alternative Methods

A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.

The Board did not consider any alternative methods for achieving the purpose of the proposed rule because there is no other method to correct the renumbering error other than the proposed rulemaking to adopt amendments for the approval of electrical training programs while the Department simultaneously proposes the repeal of substantially similar rule parts approving electrical training programs in chapter 3801.

Costs to Comply

The probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.

There are no probable costs of complying with the proposed rule because it merely relocates existing requirements for the approval of electrical training programs to a different chapter without substantive changes.

Costs of Non-Adoption

The probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals.

The probable costs or consequences of not adopting the proposed rule is continued confusion as whether the Board or the Department has the authority to adopt rules governing the approval of electrical training program requirements, as well as continued confusion regarding the concurrent responsibilities of the Department and the Board for the approval of two-year electrical training programs.

Differences from Federal Regulations

An assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.

There are no applicable federal regulations that address electrical licensure in Minnesota or the approval of Minnesota electrical training programs that may be used to fulfill the experience credit requirements for electrical license applicants.

Cumulative Effect

An assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

There are no applicable federal regulations that address electrical licensure or electrical training programs. There are no other state regulations related to the specific purpose of this rule.

Notice Plan

Minnesota Statutes, section 14.131, requires that an agency include in its SONAR a description of its efforts to provide additional notification to persons or classes of persons who may be affected by the proposed rule or must explain why these efforts were not made.

Details on the previous measures taken to ensure stakeholders received both required and additional notice of this rulemaking during the Request for Comments and rule development period can be found on pages 16-19 of this SONAR.

Required Notice

The Board is required under Minnesota Statutes, chapter 14 to identify and send notice to several groups. The steps the Board will take to meet those statutory requirements are laid out in detail below.

Consistent with Minnesota Statutes, section 14.14, subd. 1a, on the day the Dual Notice is published in the *State Register*, the Board will send via email or U.S. mail a copy of the Dual Notice and the proposed rule to the contacts on the Board's list of all persons who have registered with the Board for the purpose of receiving notice of rule proceedings. There are roughly [#] people on the Board's list of persons who have requested notice via United States Postal Service, and roughly [#] persons who

have requested noticed of all rule proceedings via email. The Dual Notice will be sent at least 33 days before the end of the comment period.

Consistent with Minnesota Statutes, section 14.116(b), the Board will send a copy of the Dual Notice, a copy of the proposed rules, and a copy of the SONAR to the chairs and ranking minority party members of the Senate Jobs and Economic Development Committee; Senate Labor Committee; Senate Housing and Homelessness Prevention Committee; House Workforce, Labor and Economic Development Finance and Policy Committee, House Housing Finance and Policy Committee, and the Legislative Coordinating Commission. These documents will be sent at least 33 days before the end of the comment period.

Consistent with Minnesota Statutes, section 14.131, the Board will send a copy of the SONAR to the Legislative Reference Library when the Dual Notice is sent.

Minnesota Statutes, section 14.116(c) requires the Board “make reasonable efforts to send a copy of the notice and the statement to all sitting legislators who were chief house of representatives and senate authors of the bill granting the rulemaking authority” if it is within two years of the effective date of the law granting rulemaking authority. This requirement does not apply because the Board was granted rulemaking authority for requirements for electrical licensure well before that timeframe and no bill within the past two years granted the Board additional authority for this rulemaking.

Minnesota Statutes, section 14.111 requires the Board to provide the commissioner of agriculture with a copy of the proposed rule change if the agency plans to adopt or repeal a rule that affects farming operations. This requirement does not apply because the proposed amendments will not have any effect on farming operations in Minnesota.

Additional Notice

In addition to the required notice referenced above, the Board will make the Dual Notice, SONAR, and proposed rule available on the webpage created for this rulemaking.

The Board also intends to send an electronic notice with a hyperlink to electronic copies of the Dual Notice, SONAR, and proposed rule to:

- Anoka Technical College
- Dakota County Technical College
- Dunwoody College of Technology
- Hibbing Community College (now part of Minnesota North College)

- Lake Superior College
- Leech Lake Tribal College
- Minnesota State Community & Technical College (Moorhead)
- Minnesota State Community & Technical College (Wadena)
- Minnesota West Community & Technical College (Canby)
- Minnesota West Community & Technical College (Jackson)
- Northland Community & Technical College
- Northwest Technical College
- Ridgewater College (Hutchinson & Willmar)
- Riverland Community College
- St. Cloud Technical & Community College
- St. Paul College Builders Association of Minnesota (“BAM”)
- Building Owners and Managers Association (“BOMA”) – Minnesota chapters (St. Paul, Duluth, and Greater Minneapolis)
- Central Minnesota Builders Association (“CMBA”)
- Electrical Association
- Housing First Minnesota
- International Brotherhood of Electrical Workers (“IBEW”) Minnesota State Council
- League of Minnesota Cities
- Local chapters of the Association of Minnesota Building Officials (“AMBO”) (Arrowhead, Southeast, 10,000 Lakes, Southwest, and Northwest)
- Local chapters of the IBEW (Locals 23, 110, 160, 242, 292, 294, 343, 731, 949, and 1999)
- Manufactured & Modular home Association of Minnesota (“MMHA”)
- Minnesota chapter of the International Association of Electrical Inspectors (“IAEI”)
- Minnesota Electronic Security and Technology Association
- Minnesota Mechanical Contractors Association
- Minnesota Solar Energy Industries Association (“MnSEIA”)

- National Electrical Contractors Association (“NECA”) – Minnesota Chapters (St. Paul, Minneapolis, and Twin Ports)

On [date], the Board received confirmation from OAH that these steps meet the notice requirements for persons or classes of persons who may be affected by the proposed amendments to these rules under Minn. Stat. § 14.14, subd. 1a.

Performance-Based Rules

Minnesota Statutes, section 14.002, requires state agencies, whenever feasible, to develop rules that are not overly prescriptive and inflexible, and rules that emphasize achievement of the Board’s regulatory objectives while allowing maximum flexibility to regulated parties and to the Board in meeting those objectives. The proposed rules continue permit electrical training programs that may be used to fulfill the experience credit requirements for electrical license applicants and the requirements for the electrical training programs continue to allow flexibility while ensuring applicants for licensure receive training that is the equivalent to electrical field experience.

Consultation with MMB on Local Government Impact

As required by Minnesota Statutes, section 14.131, the Board consulted with Minnesota Management and Budget (“MMB”) concerning the fiscal impact and benefits the proposed rules may have on units of local government. This was done on [Month, day, year] by providing MMB with copies of the Governor's Office Proposed Rule and SONAR Form, the proposed rules, and the near-final SONAR for review and comment. On [Month, day year], the Board received a memorandum dated that same day from MMB Executive Budget Officer [Name] which provided comments and conclusions concerning local government impact consistent with those noted by the Board in the cost impact sections of the Regulatory Analysis section above and the Board’s determination of small city and small business compliance costs below.

Impact on Local Government Ordinance and Rules

As required by Minnesota Statutes, section 14.128, subdivision 1, the Board has considered whether these proposed rules will require a local government to adopt or amend any ordinance or other regulation in order to comply with these rules. The Board has determined that a local government will not be required to adopt or amend an ordinance or other regulation to comply with these proposed rules because local governments do not have the authority to regulate the licensure requirements for electrical workers.

Costs of Complying for Small Business or City

Agency Determination of Cost

As required by Minnesota Statutes, section 14.127, the Board has considered whether the cost of complying with the proposed rules in the first year after the rules take effect will exceed \$25,000 for any small business or small city. The Board does not anticipate the cost of complying with the proposed rules in the first year after the rules take effect to exceed \$25,000 for any small business or small city. The Board has made this determination because there are no costs associated with the requirements of this rule since it merely adopts amendments for approval of electrical training programs that are currently located in a different rules chapter.

Authors, Witnesses, and Exhibits

Authors

The primary authors of this SONAR are:

Dean Hunter, Board Member of the Minnesota Board of Electricity, and Chief Electrical Inspector, Assistant Director, Construction Codes and Licensing Division, Minnesota Department of Labor and Industry.

Jeffrey F. Lebowski, Board Counsel for the Minnesota Board of Electricity.

Erik Zercher, General Counsel, Minnesota Department of Labor and Industry.

Amanda Spuckler, Rules Specialist, Construction Codes and Licensing Division, Minnesota Department of Labor and Industry.

Witnesses

The Board expects that the proposed amendments will be noncontroversial. In the event that a hearing is necessary, the Board anticipates having the following witnesses testify in support of the need for and reasonableness of the rules:

- Mr. Trevor Turek, Chair of the Minnesota Board of Electricity, will testify about the technical aspects and background of the proposed amendments.
- Mr. Dean Hunter, Member of the Minnesota Board of Electricity and Chief Electrical Inspector, Assistant Director, Construction Codes and Licensing Division, Minnesota Department of Labor and Industry.

and Industry, will testify about the technical aspects and background of the proposed amendments.

- Mr. Jeffrey F. Lebowski, Board Counsel for the Minnesota Board of Electricity, will represent and advise the Board, introduce the required jurisdictional documents into the record, and provide answers to APA procedural questions, if necessary.

Exhibits

In support of the need for and reasonableness of the proposed rules, the Department anticipates that it will enter the following exhibits into the hearing record:

- All links within this document, which are available online.
- Copies of the Board meeting agenda and minutes, which are available online.⁶
- All documents required to be entered into the record by Minnesota Rules, part 1400.2310.

Conclusion

In this SONAR, the Board has established the need for and the reasonableness of each of the proposed amendments to Minnesota Rules, chapter 3800. The Board has provided the necessary notice and documented its compliance with all applicable administrative rulemaking requirements of Minnesota statutes and rules.

Based on the forgoing, the proposed amendments are both needed and reasonable.

Trevor Turek, Acting Chair
Minnesota Board of Electricity

Date

This SONAR was made available for public view, pursuant to Minn. Rules, part 1400.2070, subpart 1, item E, as of [date].

⁶ See <https://www.dli.mn.gov/about-department/boards-and-councils/board-electricity>.