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MINNESOTA DEPARTMENT OF
LABOR & INDUSTRY

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November 30, 2011

The Honorable Mark Dayton
Governor

Senator Geoff Michel, Chair
Jobs & Economic Growth Committee

Representative Kurt Zellers, Chair
Legislative Coordinating Commission

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REVISOR
STATUTES
Representative Joe Hoppe, Chair
Commerce & Regulatory Reform Committee

Representative Robert Gunther, Chair
Jobs & Economic Development Finance
Committee

Michele Timmons
Revisor of Statutes

Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as Required by Minnesota Statutes, Section 14.05, Subdivision 5.

Dear Governor Dayton, Senator, Representatives, and Revisor Timmons:

Minnesota Statutes, section 14.05, subd. 5, directs the Minnesota Department of Labor and Industry to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules.

The Minnesota Department of Labor and Industry is reporting the following rules as obsolete, unnecessary, or duplicative and should be repealed.

Minnesota Rules, parts 3801.3640, 3801.3650, 3801.3660, 3801.3670, 3801.3680, 3801.3690, 3801.3700, 3801.3710, 3801.3720, 3801.3730, 3801.3740, 3801.3760, 3801.3790, and 3801.3800: The electrical act and rules are now enforced pursuant to Minnesota Statutes, sections 326B.081 – 326B.085. In addition, procedures regarding inspections, condemnation, and disconnection orders are set forth in Minnesota Statutes, section 326B.36, subd. 4. Provisions regarding inspection fees are now in Minnesota Statutes, section 326B.37. The above-listed rule parts in Minnesota Rules, Chapter 3801, are therefore obsolete.

Last year the Department of Labor and Industry identified the following rules that should be repealed, as obsolete, unnecessary, or duplicative.

Minnesota Rules, part 1301.1201: Minnesota Statutes, section 16B.65 was renumbered as Minnesota Statutes, section 326B.133 but Minnesota Statutes, section 16B.65, subd. 5, was not included in Minnesota Statutes, section 326B.133. Therefore, the authority for Minnesota Rules, part 1301.1201 has been removed. Consequently, Minnesota Rules, part 1301.1201 is now obsolete and should be repealed.

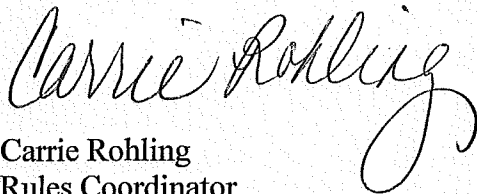
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Minnesota Rules, part 1302.0600: The fees established in Minnesota Rules, part 1302.0600 were moved to Minnesota Statutes, section 326B.153 and were changed. Consequently, Minnesota Rules, part 1302.0600 should be repealed.

Minnesota Rules, part 1300.0230, subp. 4: Minnesota Statutes, section 326B.127, subd. 5, replaces Minnesota Rules, part 1300.0230, subp. 4, and changed the interpretative authority from the State Building Official to the Commissioner. Consequently, Minnesota Rules, part 1300.0230 subp. 4, is now in conflict with Minnesota Statutes, section 326B.127, subd. 5. Therefore Minnesota Rules, part 1300.0230, subp. 4, should be repealed.

The rules listed have not yet been repealed; however, they will be all be repealed in a Department bill this legislative session.

Sincerely,



Carrie Rohling
Rules Coordinator
Office of General Counsel
Minnesota Department of Labor & Industry