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November 26, 2002

Governor Jesse Ventura
130 State Capitol
St. Paul, MN 55155

Representative Steve Sviggum
Speaker of the House
463 State Office Building
St. Paul, MN 55155

Senator Don Samuelson, Chair
President of the Senate
121 State Capitol
St. Paul, MN 55155

Michele Timmons
Revisor of Statutes
700 State Office Building
St. Paul, MN 55155

Representative Gregory Davids, Chair
Commerce, Jobs & Economic
Development Committee
549 State Office Building
St. Paul, MN 55155

Chair
Regulated Industries Committee
571 State Office Building
St. Paul, MN 55155

Chair
Commerce Committee
303 State Capitol
St. Paul, MN 55155

Senator James Metzen, Chair
Committee on Telecommunications,
Energy and Utilities
322 State Capitol
St. Paul, MN 55155

Senator Doug Johnson, Chair
Committee on Finance
205 State Capitol
St. Paul, MN 55155

Senator Dean Johnson, Chair
Transportation & Public Safety Budget Division
124 State Capitol
St. Paul, MN 55155

Chair
Jobs & Economic Development Finance Committee
437 State Office Building
St. Paul, MN 55155

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

Minnesota Statutes, section 14.05, subdivision 5, states:

“By December 1 of each year, an agency must submit to the governor, the legislative coordinating commission, the policy and funding committees and divisions with jurisdiction over the agency, and the revisor of statutes, a list of any rules or portions of rules that are obsolete, unnecessary, or duplicative of other state or federal statutes or rules. The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules. By December 1, the agency must either report a timetable for repeal of the rule or portion of the rule, or must develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary, or duplicative rule. Such a bill must include proposed authorization to use the expedited procedures of section 14.389 to repeal or amend the obsolete, unnecessary, or duplicative rule. A report submitted under this subdivision must be signed by the person in the agency who is responsible for identifying and initiating repeal of obsolete rules. The report also must identify the status of any rules identified in the prior year's report as obsolete, unnecessary, or duplicative. If none of an agency's rules are obsolete, unnecessary, or duplicative, an agency's December 1 report must state that conclusion.”

The Minnesota Department of Commerce submits the following information in response to the requirements of Minn. Stat. §14.05, subd. 5.

I. RULES IDENTIFIED AS OBSOLETE, UNNECESSARY OR DUPLICATIVE

The Department of Commerce has not identified any of its rules as being obsolete, unnecessary or duplicative, except as noted in Section II below.

II. STATUS OF LAST YEAR'S REPORT ITEMS

On August 1, 2001, the Department submitted to the Legislature a comprehensive Report on Agency Rules, as required under Minn. Stat. §14.3691. The report contained a chapter-by-chapter analysis of Department rules and contained recommendation for repeal of obsolete provisions.

The Department attempted to repeal or amend the rules that were obsolete as part of its legislative proposals during the 2002 Legislative Session. Unfortunately, the author of the bill chose to hold the bill until the last days before the committee deadlines. The Department removed the rule repeal provisions from the bill in order to preserve the rest of the legislative initiatives. Had the Department not removed the rule repeals, the bill would have required additional committee review, resulting in missed committee deadlines and the loss of the entire bill.

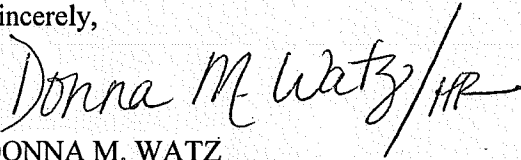
Due to significant budgetary constraints, the Department does not foresee the ability to go through the formal rulemaking process to repeal these rules. The Department will seek ways to accomplish this task via the legislative process, including attaching such repeals to a Revisor's bill, if available.

III. CONTACT PERSON

If you have any questions regarding this report, please contact:

Donna M. Watz, Staff Attorney
Minnesota Department of Commerce
85 Seventh Place East, Suite 500
St. Paul, MN 55101-2198

Sincerely,

A handwritten signature in cursive script that reads "Donna M. Watz" followed by a horizontal line and the initials "MP".

DONNA M. WATZ
Staff Attorney
Enforcement Division
(651) 296-6593

c Commissioner James Bernstein
Deputy Commissioner Gary LaVasseur