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MINNESOTA DEPARTMENT OF
LABOR & INDUSTRY

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November 30, 2010

DEC 2 - 2010

The Honorable Tim Pawlenty
Governor

REVISOR OF STATUTES
Representative Joe Atkins, Chair
Commerce & Labor Committee

Senator James P. Metzen, Chair
Business, Industry & Jobs Committee

Senator Lawrence J. Pogemiller
Legislative Coordinating Commission

Representative Tom Rukavina Chair,
Higher Education & Workforce Development
Policy & Finance Division

Senator David J. Tomassoni, Chair,
Economic Development & Housing Budget
Division 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 Pawlenty, Senators, Representatives, and Revisor Timmons:

Minnesota Statutes, section 14.05, subdivision 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of Labor and Industry is reporting the following rules as obsolete, unnecessary, or duplicative and should be repealed.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 Rule 1301.1201: Minnesota Statute 16B.65 was renumbered as 326B.133 but 16B.65 subd.5 was not included in 326B.133. Therefore, the authority for 1301.1201 has been removed. Consequently, Minnesota Rule 1301.1201 is now invalid.

Minnesota Rule 1302.0600: The fees established in Minnesota Rule 1302.0600 were moved to Minnesota Statute 326B.153 and were changed. Consequently, Minnesota Rule 1302.0600 can be deleted.

Minnesota Rule 1300.0230 subp. 4: Minnesota Statute 326B.127 subd. 5 replaces Minnesota Rule 1300.0230 subpart 4 and changed the interpretive authority from the State Building Official to the Commissioner. Consequently, Minnesota Rule 1300.0230 subp. 4 is now in conflict with 326B.127 subd. 5 and 1300.0230 subpart 4 should be deleted.

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The applicable provisions listed will be repealed as part of the State Building Code adoption in late Spring 2011.

Last year the Department of Labor and Industry did not identify any new rules as obsolete, unnecessary, or duplicative and that should be repealed.

Sincerely,

Laura Alsides

Laura Alsides
Legal Analyst
Legal Services Division
Minnesota Department of Labor & Industry