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Board of High Pressure Piping Systems
Department of Labor and Industry
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November 21, 2008

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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, 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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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 must also 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 Board of High Pressure Piping Systems has identified that the following portions of rules are obsolete, unnecessary, or duplicative and should be repealed:

Minn. Rule 5230.0050. **Licensing and Registration Requirement:** This rule is obsolete because it has been superseded by statute. See Minn. Stat. § 326B.921, subdivisions 1 to 4 (2008).

Minn. Rule 5230.0090. **Examination of Applicants for Licenses.**

Subp. 2. **Grading:** This subpart is obsolete because it refers to the advisory council for pipefitter examinations. There is no longer such an advisory council, and the rules establishing such council were repealed by the Legislature in 2007. See 2007 Minn. Laws ch. 140, art. 13, sec. 3(c) (repealing Minn. Rules 5230.0010 and 5230.0020 (2005)). The portions of this subpart concerning what constitutes a passing score are duplicative of other rules. See Minn. Rules 5230.0070, item H; 5230.0080, item F.

Minn. Rule 5230.0100: **Fees.**

Subp. 2. **Application for renewal:** This subpart is obsolete because it has been superseded by statute. See Minn. Stat. § 326B.922 (2008).

Subp. 6. **Pipefitter trainee registration fee.** This subpart is obsolete because it has been superseded by statute. See Minn. Stat. § 326B.921, subd. 4 (2008).

Minn. Rule 5320.0115: **Pipefitter trainees.**

Subp. 7. **Trainee registration fee.** This subpart is obsolete because it has been superseded by statute. See Minn. Stat. § 326B.921, subd. 4 (2008).

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Minn. Rule 5230.0130: Duties of Licensed Contracting Pipefitters: This rule is unnecessary because it merely states that the licensed contracting pipefitter is required to comply with applicable laws codified elsewhere.

Minn. Rule 5230.0150. Right to Do Business; and
Minn. Rule 5230.0160. Severance of Licenses.

These rules are obsolete because they have been superseded by the statutory requirement for the business to carry a license. See Minn. Stat. § 326B.921, subd. 2 (2008).

Minn. Rule 5230.0200. Automatic Reinstatement; and
Minn. Rule 5230.0210. Renewal After Revocation.

These rules are obsolete because they have been superseded by the new statute on licensing orders. See Minn. Stat. § 326B.082, subd. 11 (2008).

The Board of High Pressure Piping is currently in the process of repealing these rules and portions of rules. These provisions should be repealed within a year.

In 2007, the Board of High Pressure Piping did not submit an obsolete rules report. The Board of High Pressure Piping was created by the Legislature in 2007.

Sincerely,



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