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COMMISSIONER:

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**Obsolete
Rules
Report**

**Report to the
Legislature**

**As required by
Minnesota
Statutes
2001
Section 14.5
Subd. 5**

Upon request, this report can be made available in alternative formats.

— Minn. Stat. 14.05 Subd. 5 —

— 1995 Minn. Laws Chap. 233
Art. 2 Sec. 7 Subd. 5 —

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ESTIMATED COST OF PREPARING THIS REPORT

This report provides information which is maintained and published as Minnesota Rules by the Office of Revisor of Statutes as a part of its normal business functions. Therefore, the cost information reported below does not include the cost of gathering the data but rather is limited to the estimated cost of actually analyzing the data, determining recommendations and preparing this report document.

Special funding was not appropriated for the costs of preparing this report.

The estimated cost incurred by the Minnesota Department of Children, Families & Learning in preparing this report is \$250.00.

October 8, 2002

Governor Jesse Ventura

Donald Samuelson, Chair
Legislative Coordinating Commission

Michele Timmons
Revisor of Statutes

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House Family & Early Childhood Education Finance Committee

Kevin Goodno, Chair
Thomas Huntley, Ranking Minority Member
House Health & Human Services Finance Committee

Fran Bradley, Chair
Luanne Koskinen, Ranking Minority Member
House Health & Human Services Policy Committee

Subject: 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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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.”

Obsolete Rules:

The Department of Children, Families, and Learning has identified the following rules as obsolete and unnecessary because they duplicate existing statutory or rule provisions:

- Part 3500.0600 – Teachers' Duty Free Lunch.
- Part 3520.0400 – Transportation Data Reporting Requirements.
- Part 3520.1400 – Regulations Relating to Equal Transportation.
- Part 3520.3300 – Transportation of Pupils with a Disability.
- Part 3530.2700 – School Lunch Program.
- Chapter 3550 – Training and Experience Index.
- Parts 9565.5500 to 9565.5520 – Child care resource and referral grants.

The Department has identified the following rules as obsolete because the federal or state law providing for the rule no longer exists:

- Part 3530.1500 – Service for the Blind and Physically Handicapped and Institutions.
- Parts 3530.4400 to 3530.4500 – Disaster Plan.
- Part 3530.4700 – Civil Defense and Building Construction.

The Department intends to seek legislative repeal of the rules identified above through during the 2003 Legislative Session.

Status of Rules Identified in the 2001 Obsolete Rules Reports:

In its 2001 and 2002 Obsolete Rules Reports, the Department identified multiple rules under its jurisdiction as obsolete. The Department attempted to repeal these provisions through the legislative process during subsequent legislative sessions. However, the Minnesota Legislature did not enact the necessary repeal legislation. As a result, the obsolete rules remain in effect. The Department will pursue legislative repeal of these provisions again in the 2003 Legislative Session.

If you have any questions regarding this report, please contact Tammy L. Pust, Assistant Commissioner, at 651.582.8482.

Sincerely,

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MINNESOTA
DEPARTMENT OF

*Children
Families &
Learning*

MISSION

"Increasing the capacity of

Minnesota communities to

measurably improve the well being

of children and families."

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