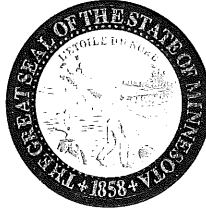


020558



State of Minnesota
Minnesota Department of Corrections
Office of the Commissioner

November 20, 2002

TO: Honorable Jesse Ventura, Governor
Honorable Jane Ranum, Senate Crime Prevention Committee Chair
Honorable Linda Berglin, Senate Crime Prevention/Judiciary Budget Division Chair
Honorable John Tuma, House Crime Prevention Committee Chair
Honorable Rich Stanek, House Judiciary Finance Committee Chair
Greg Hubinger, Legislative Coordinating Commission Director
Michele Timmons, Revisor of Statutes

RE: Annual Report on Obsolete, Unnecessary, or Duplicative Rules

This report is submitted pursuant to Minn. Stat. § 14.05, subd. 5, which provides that agencies report any rules or portions of rules that are obsolete, unnecessary, or duplicative, as well as the status of rules identified in last year's report as obsolete, unnecessary, or duplicative.

As per the Department of Corrections (DOC) *Rule Review and Legislative Oversight 2001 Report to the Legislature*, the DOC recommends repeal of Minnesota Rule 2940 for the Hearings and Release Unit. This rule is authorized by Minn. Stat. §§241.26 and 243.05. The DOC had determined that Minnesota Rule 2940 was unnecessary as the rule was not regulatory in nature and the purpose of the rule was to establish the operation of the hearings and release unit established within the DOC and to establish rules for the placement and supervision of inmates placed in a work release program. Much of the rule establishes internal functions of the DOC; however, upon further review of the rule, those portions related to revocation of supervised release do require regulation. The DOC is currently revising the rule to include only those portions that are regulatory in nature.

We did recommend repeal and reenactment of Minnesota Rule 2915 – Services for Battered Women in our last legislative report. The DOC at one time had the victim services unit that was impacted by this rule; however, in January 1998 the victim services unit was transferred from the DOC to the Department of Public Safety. We will work with the Department of Public Safety to repeal and reenact this rule.

— Minn. Stat. 14.05 Subd. 5 —

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

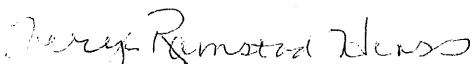
November 20, 2002

Page two

At this time we can identify no other DOC rules that are obsolete, unnecessary, or duplicative and that should be repealed.

If you have any questions regarding this report, please contact Daniel Storkamp, Acting Assistant Commissioner, Management Services Division, at 651/642-0566.

Sincerely,


Sheryl Ramstad Hvass
Commissioner

SRH/SR:mh

c: Honorable Don Samuelson, LCC Chair 2002
Legislative Reference Library (six copies)
Chief Clerk of the House
Secretary of the Senate