



Minnesota Department of Human Rights

December 19, 2002

Governor Jesse Ventura

Representative Steve Sviggum, Chair
Legislative Coordinating Commission

Michelle Timmons
Revisor of Statutes

Senator Jane B. Ranum
Senate Crime Prevention and Judiciary
Budget Division

Representative Steve Smith, Chair
House Civil Law Division Policy Committee

Senator John Marty, Chair
Senate Judiciary Committee

Representative Sherry Broecker
House Judiciary Finance committee

Subject: Report on the Review of the Minnesota Department of Human Rights
Rules as Required by Minnesota Statutes, §14.3691, Subd. 1

Minnesota Statutes, § 14.3691, subdivision 1, states in pertinent part:

"An entity whose rules are scheduled for review under this section must report to the governor and the appropriate committees of the legislature by August 1 of the year before the legislative session in which the entity's rules are scheduled for review. The speaker of the house of representatives and the senate committee on rules and administration shall designate the appropriate committees to receive these reports. The report must: (1) list any rules that the entity recommends for repeal; (2) list and briefly describe the rationale for rules that the entity believes should remain in effect; and (3) suggest any changes in rules that would improve the agency's ability to meet the regulatory objectives prescribed by the legislature, while reducing any unnecessary burdens on regulated parties."

1. **Rules recommended for repeal.** The Minnesota Department of Human Rights (department) does not recommend repealing any rules at this time.

2000 Minn. Laws Chap. 469
Sec. 4 Subd. 1

Minn. Stat. 14.3691 Subd. 1

AN EQUAL OPPORTUNITY

2. **Rules that should remain in effect.** We recommend that all of the rules in Chapter 5000 (interpreting Chapter 363, the Minnesota Human Rights Act) remain in effect. The rationale for retaining these rules is provided in the Discussion section of this report.
3. **Suggested rule changes.** After careful review, we do not propose any changes to the existing rules.

DISCUSSION

Minnesota Rules 5000.0050 to 5000.3300 govern discrimination complaint procedures, including (but not limited to) complaints, investigations, determinations, appeals, conciliation and settlement, and administrative law judge decisions. These rules specify the rights and obligations of interested parties under the Minnesota Human Rights Act. They also set forth the procedures, criteria and timelines for appeal and re-open requests that are not detailed in Chapter 363. The department is not proposing any changes to these rules at this time.

Minnesota Rules 5000.3400 to 5000.3600 govern contract compliance for businesses that wish to contract with the State of Minnesota. The department issues certificates of compliance to these contractors, allowing them to enter into state contracts over \$100,000, if they meet affirmative action or equal opportunity requirements provided in these rules. Rules 5000.3400 to 5000.3600 were recently revised and it is unnecessary to amend them at this time.

If you have any questions regarding this report, please contact Linda Hanson at the Minnesota Department of Human Rights, Army Corps of Engineers Centre, Suite 700, 190 East Fifth Street, St. Paul, Minnesota 55101.

Sincerely,



Janeen E. Rosas
Commissioner