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MINNESOTA DEPARTMENT OF

*Children,
Families &
Learning*

**Review
and
Repeal of
Rules**

**Report to the
Legislature**

**As required by
Minnesota
Statutes 1998
14.05
Subd. 5**

**COMMISSIONER:
CHRISTINE JAX, Ph.D.**

**Review
And
Repeal of
Rules**

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Legislature**

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Upon request, this report can be made available in alternative formats.
December 1, 1999

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 and Learning in preparing this report is \$500.00.

December 1, 1999

Governor Jesse Ventura

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Revisor of Statutes

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House K-12 Education Finance Committee

Representative Barb Sykora, Chair
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Minority Member
**House Family & Early Childhood
Education Finance**

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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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

We have identified the following rules that are obsolete, unnecessary, or duplicative and that should be repealed for the reasons stated.

3505.4300 Community based education

The requirements in this rule refer to 3500.3500 (repealed 1993), 3505.4400 (to be repealed 8/1/96), and 3505.4700 (to be repealed 8/1/96). It also states in Minnesota Laws, Ch.224, Art 12, Sec. 36 that program standards are to replace rules in chapter 3505 including community-based cooperative vocational programs.

3545.0600 Applicability of rules

3545.0900 Financial reporting standards

3545.0800 Modified accrual accounting and other accounting requirements

3545.0900 Fund accounting

Rules 3545.0600 through 3545.0900, Financial Accounting Reporting Requirements are obsolete. This is due to the change in responsibility determined by 1993 Laws, Chapter. 224, Article 12, Section 13, which assigned the guidelines for UFARS to the Department of Education. Also, the present rules have been made inaccurate by legislation, and there is nothing in the present rules which is not contained in statute or the UFARS Manual.

3550.0100 Method of determining the training and experience index component of the school foundation aid formula

Rules of Chapter 3550, Training and Experience Index is obsolete. 1995 Special Session Laws, Chapter. 3, Article 1, Sections 29, 30, 40 and 44 eliminate the Training and Experience component of General Education Revenue beginning in FY 1997. Also, the present formula in Rule is not accurate due to subsequent legislation. The formula is specified in statute.

3520.0400 Transportation Data Reporting Requirements

The transportation funding law, Minn. Stat. 124.A.22, was changed so that the funding is based on average daily membership (as part of the General Education Formula). The formula is no longer based on the number of students transported. Most of the data that was collected in the past was used to develop the separate transportation budget. Because there are no separate funding formula and budget, there is no need to collect data as we have in the past. In addition, all laws currently cited in this rule have been repealed.

Service for the Blind and Physically Handicapped and Institutions.

The rule is no longer needed. The federal Library Services and Construction Act no longer exists for which this rule was necessary.

3530.2610 Definitions

3530.2612 Applications for Construction Grants

3530.2614	Application Contents
3530.2616	Application Dates
3530.2618	Notice of Intent
3530.2620	Regional Library System Assistance
3530.2622	Regional Park
3530.2629	Minimum Project Sizes
3530.2626	Recent Construction Ineligible
3530.2628	Maximum Grant
3530.2630	project Criteria
3530.2632	Application Rating
3530.2634	Project Priorities
3530.2636	Construction Grants Review Committee
3530.2638	Approval of Projects
3530.2640	Hearings
3530.2642	Grant Agreements
3530.2644	Return of grant Funds

The rule is no longer needed. The federal Library Services and Construction Act no longer exists for which this rule was necessary.

The Department of Children, Families & Learning has developed a bill for submission to the Senate K-12 Education Budget Division Committee and the House K-12 Education Finance Division Committee to repeal the obsolete, unnecessary, or duplicative rules.

In the agency's 1998 report, we identified these same identical rules as being obsolete, unnecessary, or duplicative. The rules were not repealed because they were identified after the deadline for agency submissions had passed

If you have any questions regarding this report, please contact:

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DEPARTMENT OF

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MISSION

"Increasing the capacity of

Minnesota communities to

measurably improve the well being

of children and families."

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