Minnesota Department of Natural Resources

OFFICE OF THE COMMISSIONER
500 Lafayette Road
St. Paul, Minnesota 55155-4037

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REVISOR OF STATUTES

November 25, 2002

Ms. Michele Timmons
Revisor of Statutes
700 State Office Building
St. Paul, MN 55155

RE: Annual Report on Obsolete, Unnecessary, or Duplicative Rules as required by Minnesota Statutes, sec. 14.05, subd. 5

Dear Ms. Timmons:

Minnesota Statutes, section 14.05, subdivision 5, requires each agency to submit to you, by December 1 of the year, a report on any rules that are obsolete, unnecessary, or duplicative. The agency must explain why the rule is obsolete, unnecessary, or duplicative, and must identify the timetable for repeal of the rule or prepare legislation to repeal the rule. The agency must also report on the status of the rules identified in the prior year's report.

It is the continuing goal of the department to enact only those rules that are needed and to repeal obsolete, unnecessary, and duplicative rules. As a part of the process of drafting new rules or amendments to existing rules, the department identifies rules that should be repealed. Quite often rules are not obsolete or unnecessary, but need to be revised to address current needs and changing conditions.

We have reviewed this issue with department staff for the preparation of this letter. There are two sets of rules being revised by ongoing rulemaking that contain rules that could be classified as obsolete, unnecessary, or duplicative.

On December 9, 2002, the department will be publishing a dual notice of intent to adopt rules concerning boat and water safety. The primary purpose of the rule changes is to bring the rules up-to-date due to changes in federal requirements. With this rulemaking process, we also identified language on rental equipment for watercraft and capacity plate information requirements that were out-of-date and needed to be amended or repealed. The words "oars, paddles and oarlocks" are being deleted and "accessory equipment" substituted to reflect the changes in equipment used by boats. Capacity plate information requirements for boats constructed between 1972 and 1980 are being deleted since the state regulations have been preempted by federal boating safety standards. This rulemaking should be completed in early 2003.

6110.1100 (A)
6110.1400 (A)
6110.1300 (R)

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In early December, the department will be publishing a request for comments on rules relating to snowmobile registration and operation. Several of the rule amendments are due to changes made by the legislature in state law. These changes include: removing fee amounts for training programs from the rules since the fee is now addressed in state law; raising the dollar limit that triggers accident reporting to reflect the amount that now exists in state law; and reflecting that state law provides that the rules concerning operation on public lands and waters apply to all public lands and waters regardless of control by the commissioner of natural resources. The rule changes also provide for a paperless electronic registration system and a more rapid decal distribution network that has gone into effect. In addition, the rules would repeal part 6100.6000 (R) that specifies forms which are no longer needed. The repeal of this rule part is also being included in a revisor's technical bill next session. Depending on whether or not a hearing is requested, the rulemaking process should be completed by mid to late 2003.

In last year's letter on this topic, the department did not identify any rules that were obsolete, unnecessary, or duplicative.

Please contact Kathy Lewis (651-296-9564), if you need further information or have any questions.

Sincerely,

Allen Garber
Commissioner