MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Office of the Commissioner
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Alcohol & Gambling Enforcement

Bureau of Criminal Apprehension

Capitol Security

Center for Crime Victim Services

Driver & Vehicle Services

Drug Policy & Violence Prevention

Emergency Management/ Emergency Response Commission

State Fire Marshal/ Pipeline Safety

State Patrol

Traffic Safety

December 4, 2002

The Honorable Jesse Ventura
Governor, State of Minnesota

The Honorable Steve Sviggum, Chair (2001)
The Honorable Don Samuelson, Chair (2002)
Legislative Coordinating Commission

Ms. Michele Timmons
Revisor of Statutes

The Honorable Jane B. Ranum, Chair
The Honorable Thomas M. Neuville
Senate Crime Prevention Committee

The Honorable John Marty, Chair
The Honorable Warren Limmer
Senate Judiciary

The Honorable Dean Johnson, Chair
The Honorable Mark Ourada
Senate Transportation & Public Safety
Budget Division

The Honorable John Tuma, Chair
The Honorable Wes Skoglund
House Crime Prevention Committee

The Honorable Rich Stanek, Chair
The Honorable Mary Murphy
House Judiciary Finance Committee

The Honorable Tom Workman, Chair
The Honorable Alice Hausman
House Transportation Policy Committee

The Honorable Carol Molnau, Chair
The Honorable Bernie Lieder
House Transportation Finance Committee

Subject: Annual Report on Obsolete, Unnecessary and Duplicative Rules Report Pursuant to Minnesota Statutes, section 14.05, subd. 5

Dear Sir or Madam:

Minnesota Statutes, section 14.05, subdivision 5 requires all agencies to submit by December 1 of each year a list of any rules or portions of rules that are considered obsolete, unnecessary or duplicative of other state or federal statutes with a statement as to why the rule or portion of the rule falls under one of the above. Along with this list, each agency must either report a timetable for repeal of the identified rules or develop a bill for submission to the appropriate policy committee to repeal the obsolete, unnecessary or duplicative rule and identify the status of any rules deemed obsolete in the previous year's report. This report is to be submitted to the Governor, the Legislative Coordinating Commission, the policy and funding committees and divisions with jurisdiction over the agency and the Revisor of Statutes.

I. 2002: Identified Obsolete, Unnecessary, or Duplicative Rules or Portions of Rules

The Department of Public Safety has identified the following rules as obsolete, unnecessary or duplicative of other state or federal statutes.

(1) 7507.0400 Fees for Emergency Response Commission

The Department of Public Safety has identified the above-mentioned rule as obsolete. The Department hopes to have this issue resolved either via rulemaking or legislation before 2004.

II. 2001: Identified Obsolete Rules – STATUS

(1) 7506 Private Detective and Protective Agents (7506.0140, subpart 1; 7506.0140, subpart 2, items A and B; 7506.0140, subparts 3, 4 and 5)

The Department of Public Safety identified chapter 7506 as containing obsolete and duplicative language and requirements concerning licensing fees for private detectives and protective agents in its 2001 report. New fees were approved by the Legislature in 2001 that replace the fees in the rules on these matters. 2001 Minnesota Laws, Special Session, Chapter 8, article 5, section 21.

At this time, the Department has not repealed these rules. The Department was notified by the Department of Finance early this year that the Revisor's Office might undertake a repeal project for agencies that were similarly affected by the passage of budgets concerning fee changes. Unfortunately, only a preliminary examination of this issue was undertaken and no repeal of the old fee language was instituted.

The Department hopes to have these rules repealed either by legislation or rulemaking.

III. 2000: Identified Obsolete Rules – STATUS

(1) 7411 Driver Education (parts 0300, .3100, .3200, and .3300)

The Department opened Chapter 7411 for revision when its Request for Comment was published on October 29, 2001. Estimated project termination via rulemaking is spring 2003.

Except for the rules listed above, the Department has identified no other obsolete, duplicative or unnecessary rules to date. The Department has a number of rulemakings in progress that will repeal any other obsolete, duplicative or unnecessary rules as they are identified.

Please note that the Peace Officers Standards and Training Board has identified to this Department no obsolete, duplicative or unnecessary rules and may submit their report to you separately.

Sincerely,

Mancel Mitchell
Acting Commissioner

CC: Sara Schlauderaff, Assistant Commissioner
Kristine M. Hernandez Pierce, Esq., Rules and Extradition Coordinator