MINNESOTA RACING COMMISSION
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November 19, 2004

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Legislative Coordinating Commission

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Revisor of Statutes

Senator Jim Vickerman, Chair
Agriculture, Veterans and Gaming Committee

Senator Jane Ranum
State Government Budget Division

House Governmental Operations and Veterans Affairs Policy Committee

House State Government Finance Division

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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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

Every year after the conclusion of live racing, the Commission undertakes a review and revision to its rules as needed. In conducting a review this year, one rule was identified as being obsolete based on Minnesota Laws 2003, 1st Special Session, Ch. 1, Art. 2, Sec. 70. With the legislative change to the Class A and B license fees, the Commission is proposing to amend

obsolete language by removing reference to specific dollar amounts and replacing that language with reference to Statute. It is expected that this change will be in place within the next six months. The rule affected by this law is:

Minnesota Rule 7870.0420 – Payment of Class A and B License Fees.

Last year's report identified the following rules as obsolete:

Minnesota Rule 7878.0100, subpart 8. Firearms Course
Minnesota Rule 7878.0150, subparts 1 and 1a. Standards of Conduct for Security Officers
Minnesota Rule 7897.0100, subpart 3. Possession of Firearms or Weapons
Minnesota Rule 7897.0130, subpart 4. Serious Violations.

All proposed rule deletions were adopted with the exception of part 7878.0150, subparts 1 and 1a. Correspondence from Senator Jane Ranum dated 2/24/04 and subsequent review and memorandum from the Administrative Law Judge dated 4/12/04 indicated that the Commission continues to retain authority over training requirements for security officers that may carry a firearm.

If you have any questions regarding this report, please contact me at 952-496-7950.

Regards,

Richard G. Krueger
Executive Director

cc: Darcy Hitesman, Chair
Dr. Camille McArdle, DVM, Chair, Racing Committee
E. Joseph Newton, Assistant Attorney General