Minnesota Department of Natural Resources
500 Lafayette Road • St. Paul, MN • 55155-4037

Gene Merriam, Commissioner
651-296-2549

December 1, 2005

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REVISOR OF STATUTES

Governor Tim Pawlenty
130 State Capitol
75 Rev. Dr. Martin Luther King, Jr. Blvd.
St. Paul, Minnesota 55155

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

Dear Governor Pawlenty:

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. Each agency must explain why its rules are obsolete, unnecessary, or duplicative, and must identify the timetable for repeal of the rules or prepare legislation to repeal the rules. Each agency must also report on the status of the rules identified in its prior year's report.

It is the continuing goal of the Department of Natural Resources (DNR) 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As a part of the process of drafting new rules or amendments to existing rules, the DNR identifies rules that should be repealed.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.

In preparing this report for 2005, the DNR identified the following rules as obsolete, unnecessary, or duplicative:

> Minnesota Rules, part 6102.0010, subp. 3, concerns the display of registration numbers and decals for recreational vehicles. The provisions on display of decals for off-highway motorcycles were changed by Laws of 2005, First Special Session, Chapter 1, Art. 2, Sec. 22. The DNR will shortly initiate rulemaking through the good cause exemption process to update the rule.

The status of the rules identified in the 2004 report as obsolete, unnecessary, or duplicative is as follows:

(1) Shoreland Management, Minnesota Rules, parts 6120.2500 to 6120.3900. The DNR conducted stakeholder meetings to solicit information on development issues identified in Crow Wing, Itasca, Cass, Aitkin, and Hubbard counties. The DNR determined that no rulemaking will be needed.

(2) Snowmobile Registration and Operation, Minnesota Rules, parts 6100.5000 through 6100.6000. No rulemaking activity occurred in 2005 on the amendment of these rules. In 2006 the DNR plans to identify the changes needed to update the snowmobile registration rules and proceed with the rulemaking process.

(3) Mississippi River Management, Minnesota Rules, parts 6105.0800 to 6105.0960. No rulemaking activity occurred in 2005. The DNR plans to publish a request for comments in 2006 to start the process of updating the rules.

(4) Wildlife Management, Minnesota Rules, chapters 6200, 6230, 6232, 6234, 6236, 6237, and 6240. The rules have been adopted by the DNR and were filed with the Secretary of State on November 17, 2005.

(5) Aquatic Plant Management, Minnesota Rules, chapter 6280. The rules were adopted under the good cause exemption process and became effective February 14, 2005.

Please contact Kathy A. Lewis (651-259-5404) for more information or with any questions.

Sincerely,

Gene Merriam
Commissioner

Cc: Michele Timmons, Revisor of Statutes
Greg Hubinger, Legislative Coordinating Commission
Senator John Marty, Chair, Environment and Natural Resources Committee
Senator Dallas Sams, Chair, Environment, Agriculture and Economic Division
Representative Tom Hackbarth, Chair, Environment & Natural Resources Policy
Representative Dennis Ozment, Chair, Environment & Natural Resources Finance
K. Lewis