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November 28, 2006

The Honorable Tim Pawlenty  
Governor

The Honorable Ellen Anderson, Chair  
Jobs & Economic Opportunity Policy &  
Finance Committee

The Honorable Bob Gunther  
Jobs & Economic Opportunity Policy &  
Finance Committee

The Honorable Dallas C. Sams  
Environment, Agriculture & Economic  
Development Budget Committee

The Honorable Steve Sviggum, Chair  
Legislative Coordinating Commission

Michele Timmons  
Revisor of Statutes

The Honorable Tim Wilkin, Chair  
Commerce & Financial Institutions

RECEIVED  
NOV 30 2006  
REVISOR OF STATUTES

Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules, as Required  
by Minnesota Statutes, Section 14.05, Subdivision 5.

Dear Governor Pawlenty, Senators, Representatives, and Revisor Timmons:

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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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

This information can be provided to you in alternative formats (Braille, large print or audio tape).

An Equal Opportunity Employer

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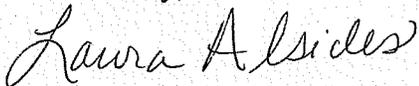
The Department of Labor and Industry reports that the following portion of a rule is obsolete, unnecessary, or duplicative and should be repealed.

Minn. Rule 5200.0080 Gratuities/Tips Credits

Minnesota Statutes §177.24, Subd. 2 now states, that no employer may take a tip credit toward the minimum wage. When this change was made, Subp. 2 and Subp. 3, which speak of tip credits, were not repealed. Minnesota Rule 5200.0080, subparts 2 and 3 are now obsolete. Additionally, the word "Credits" should be removed from the title of this rule. The provisions above will be repealed within the next year.

Last year the Department of Labor and Industry reported as obsolete, Minn. R. 1330.0100 - 1330.2100, Fallout Shelters. Minnesota Rules 1330.0100 - 1330.2100 are fallout shelter provisions related to state-owned buildings. They are no longer necessary because the fallout shelters are no longer necessary. The provisions have not yet been repealed however, they will be repealed within the next year.

Sincerely,



Laura Alsides  
Legal Analyst  
Legal Services Division  
Department of Labor & Industry