

Minnesota Department of Natural Resources

500 Lafayette Road · Saint Paul, Minnesota · 55155-4037

Office of the Commissioner

651-259-5555



November 19, 2010

RECEIVED

Governor Tim Pawlenty

130 State Capitol

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St. Paul, Minnesota 55155-1606

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REVISOR OF STATUTES

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Senate Environment & Natural Resources Committee

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Representative Kent Eken, Chair

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Senator Ellen Anderson, Chair

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Mr. Greg Hubinger, Director

Legislative Coordinating Commission

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Ms. Michele Timmons, Revisor

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Subject: Annual Report on Obsolete, Unnecessary, or Duplicative Rules as Required by Minnesota Statutes, section 14.05, subdivision 5



Dear Governor Pawlenty, Senators, Representatives, Revisor Timmons, Director Hubinger:

Minnesota Statutes, section 14.05, subdivision 5, directs the Department of Natural Resources (DNR) has to report to you by December 1 of each year whether any of its rules are obsolete, unnecessary, or duplicative of other state or federal statutes or rules.

1. The DNR previously declared its intention to revise the following duplicative rules.

Minnesota Rules, parts 6234.2500 and 6234.3200, relating to use of snares for predator control, were duplicative. In *Minnesota Rules*, part 6234.3000, subparts 4 and 5 relating to certification for predator control were duplicative. The duplicates were repealed through a permanent rulemaking package relating to wildlife rules. That process is now concluded.

2. The Department has reviewed its rules and found that the following rules are or have become obsolete, unnecessary, or duplicative over the course of the last year. Our timetable for completing these rulemakings is by the end of 2011, through either a permanent rules package or using the process outlined in *Minnesota Statutes*, section 14.3895, whichever is appropriate.

- a. *Minnesota Rules*, part 6262.0500, subpart 2a, item B, contains an obsolete end date.
- b. *Minnesota Rules*, part 6262.0600, subpart 2 relating to night bowfishing needs to be updated to reflect statute changes effective in 2009.
- c. *Minnesota Rules*, part 6262.0200, subpart 1, item E, relating to the lake trout season end date for lake trout lakes outside the BWCAW needs to be updated to reflect statute changes effective in 20095.
- d. *Minnesota Rules*, part 6266.0500, subpart 1, item A, relating to taking of fish on Minnesota-Wisconsin boundary waters is obsolete due to a name change to Canadian Pacific following a change in railroad ownership.
- e. *Minnesota Rules*, part 6110.2000, subpart 1, relating to separate accounts in each county for boat and water funds is obsolete because the county allocations are now done as reimbursements rather than advances.

The DNR has found no other rules that have become obsolete, unnecessary, or duplicative over the course of the last year.

Please let me know if I can provide further assistance.

Sincerely,



Mark Holsten, Commissioner
Department of Natural Resources

c: Beth Carlson, DNR Administrative Rules Coordinator

DATE: November 19, 2010

LEGISLATIVE REPORT – Cost of Preparation

NAME OF LEGISLATIVE REPORT:

Annual Report on Obsolete, Unnecessary, or Duplicative Rules, 2010

Based on: Communications from rule writing contacts in agency divisions

Minnesota Statute Reference: *Minnesota Statutes*, section 14.05, subdivision 5

Prepared by: Elizabeth P. Carlson, Rules Coordinator, Department of Natural Resources

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Description of Cost	Further explanation if necessary	Amount
Staff Time		
Office of Management & Budget Services	5.0 hours	163.00
Office of Communications & Outreach	0.5 hours	21.00
Division of Fish & Wildlife	1.5 hours	65.00
Division of Parks & Trails	0.5 hours	13.00
Duplication Cost (includes paper)		nominal
Other:		
TOTAL TO PREPARE REPORT (Note: Right click on amount cell and choose update to complete)		262.00