

04 - 0614

December 1, 2004

Governor Tim Pawlenty

Greg Hubinger, Director
Legislative Coordinating Commission

Michele Timmons
Revisor of Statutes

Chairs of the Policy and Funding Committees and Divisions
with Jurisdiction over the Minnesota Department of Employment and Economic Development
[A complete list of addressees is at the end of this letter. These individuals received an electronic copy of the letter.]

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 The list must also include an explanation of why the rule or portion of the rule is obsolete, unnecessary, or duplicative of other state or federal statutes or rules.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

At this time, we can identify no Department of Employment and Economic Development rules that are obsolete, unnecessary, or duplicative and that should be repealed.

In last year’s report, we identified the following Minnesota Rules as being obsolete, unnecessary, or duplicative:

- *Rule 3300.0050*
- *Chapter 3301 (includes Rules 3301.0180, 3301.0190, 3301.0200, 3301.0210, 3301.0220, and 3301.0230)*
- *Rules 3315.0510, 3315.0535, and 3315.0545*
- *Chapter 3320 (includes Rules 3320.0010, 3320.0020, and 3320.0030)*
- *Rules 7380.0200, 7380.0210, 7380.0220, 7380.0230, and 7380.0240*
- *Rules 7380.0500 through 7380.0582*
- *Rules 7380.0600 through 7380.0650*
- *Rules 7380.0780 through 7380.0840*

Department of Employment and Economic Development

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DEED Obsolete Rules Report
December 1, 2004
Attachment

These rules were repealed in last year's housekeeping bill, which was approved and is attached. The housekeeping bill also made appropriate name changes where mention was made to the Department of Economic Security or Department of Trade and Economic Development to complete the merger of these two departments into the Department of Employment and Economic Development.

Currently, DEED is in the process of amending the following rules:

- *Minnesota Rules Chapter 7380* - governing the Public Facilities Authority rules for the water pollution control revolving fund and drinking water revolving fund (anticipated adoption – June 2005);
- *Minnesota Rules parts 3300.5010 to 3300.5060* - governing Vocational Rehabilitation Services (anticipated adoption – June 2005); and
- *Minnesota Rules parts 3300.2005 to 3300.2055* - governing Extended Employment (anticipated adoption – June 2006).

If you have any questions regarding this report or our current rule amendment efforts, please contact me at (651) 282-2675 or at cristine.leavitt@state.mn.us.

Sincerely,



Cristine Leavitt
Rule Coordinator

Electronic copy sent to:
Senator Ellen Anderson, Chair
Senator Michele Bachmann, Ranking Republican
Senator Dallas Sams, Budget Division Chair
Senate Jobs, Housing, and Community Development Committee

Representative Greg Davids, Chair
Representative Tom Rukavina, DFL Lead
House Commerce, Jobs, and Economic Development Policy Committee

Representative Bob Gunther, Chair
Representative John Dorn, DFL Lead
House Jobs and Economic Development Finance Committee

DEED Obsolete Rules Report
December 1, 2004
Attachment

Sec. 52. [REVISOR INSTRUCTION.]

(a) The revisor of statutes shall substitute "employment and economic development" for "economic security" when the reference refers to the department or commissioner in Minnesota Statutes, sections 3C.12; 4.045; 10A.01; 13.32; 13.43; 13.46; 13.47; 13.475; 13.791; 14.03; 14.3691; 15.39; 16B.181; 16B.54; 16C.10; 16C.15; 116C.772; 116L.04; 119A.04; 119A.15; 119B.011; 124D.375; 124D.49; 124D.52; 125A.023; 125A.28; 125A.59; 144.0525; 145.9266; 176.011; 176.102; 176.181; 176.186; 176.291; 176.361; 245.4705; 245.696; 245.697; 245.771; 248.07; 252.33; 252.431; 256.482; 256.998; 256C.26; 256C.28; 256D.02; 256D.051; 256J.49; 256J.51; 256J.61; 256J.645; 256J.751; 268.035, subdivisions 8a and 12a; 268.86; 268A.01; 268A.02; 268A.07; 268A.11; 268A.13; 268A.14; 268A.15; 270A.09; 290.92; 363A.06; 363A.20; 375.552; 469.301; 474A.045; 480A.06; 480A.09; 517.08; 518.551; 518.5513; 523.24; and 611A.202.

(b) The revisor of statutes shall substitute "unemployment insurance" for "reemployment insurance" in Minnesota Statutes, section 356.50.

(c) The revisor of statutes shall substitute "unemployment insurance" for "unemployment compensation" in Minnesota Statutes, sections 116J.993; 256B.0952; 256B.421; 256D.051; and 299C.69.

(d) The revisor of statutes shall substitute "unemployment insurance program" for "unemployment insurance program and job service" in Minnesota Statutes, chapter 268.

(e) The revisor of statutes shall substitute "knowingly" for "intentionally" in Minnesota Statutes, chapter 268.

(f) The revisor of statutes shall substitute "rehabilitation services" for "Division of Rehabilitation Services" when referring to the Department of Employment and Economic Development operating unit in Minnesota Statutes, sections 176.102, subdivision 10; 268A.03; 268A.11; and 268A.15.

(g) The revisor of statutes shall substitute "employment and economic development" for "trade and economic development" when referring to the department or commissioner of employment and economic development in Minnesota Statutes, sections 469.005; 473.351; and 473.608.

(h) The revisor of statutes shall change the title of Minnesota Statutes, chapter 116L, to "Workforce Development."

(i) The revisor of statutes shall renumber each section of Minnesota Statutes specified in column A with the number set forth in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

Column A	Column B
<u>268.0111, subds. 4 to 9</u>	<u>116L.19, subds. 4 to 9</u>
<u>268.0121, subd. 3</u>	<u>116J.01, subd. 6</u>
<u>268.0121, subd. 4</u>	<u>116J.035, subd. 4</u>
<u>268.0121, subd. 5</u>	<u>116J.035, subd. 5</u>
<u>268.0122, subd. 1</u>	<u>116J.401, subd. 2</u>
<u>268.0122, subd. 4</u>	<u>116J.035, subd. 4</u>
<u>268.0122, subd. 7</u>	<u>116J.401, subd. 3</u>
<u>268.0124</u>	<u>116J.0124</u>
<u>268.0125</u>	<u>116J.0125</u>
<u>268.014</u>	<u>116J.014</u>
<u>268.022</u>	<u>116L.20</u>
<u>268.29</u>	<u>299A.72</u>
<u>268.30</u>	<u>116L.30</u>
<u>268.361</u>	<u>116L.361</u>
<u>268.362</u>	<u>116L.362</u>
<u>268.3625</u>	<u>116L.3625</u>
<u>268.363</u>	<u>116L.363</u>
<u>268.364</u>	<u>116L.364</u>
<u>268.365</u>	<u>116L.365</u>
<u>268.366</u>	<u>116L.366</u>

DEED Obsolete Rules Report
December 1, 2004
Attachment

<u>268.56</u>	<u>116L.56</u>
<u>268.561</u>	<u>116L.561</u>
<u>268.60</u>	<u>116L.60</u>
<u>268.61</u>	<u>116L.61</u>
<u>268.62</u>	<u>116L.62</u>
<u>268.63</u>	<u>116L.63</u>
<u>268.64</u>	<u>116L.64</u>
<u>268.66</u>	<u>116L.66</u>
<u>268.665</u>	<u>116L.665</u>
<u>268.666</u>	<u>116L.666</u>
<u>268.86</u>	<u>116L.86</u>
<u>268.871</u>	<u>116L.871</u>
<u>268.872</u>	<u>116L.872</u>
<u>268.88</u>	<u>116L.88</u>
<u>268.881</u>	<u>116L.881</u>
<u>268.9165</u>	<u>119A.545</u>
<u>268.96</u>	<u>116L.96</u>
<u>268.976</u>	<u>116L.976</u>

Sec. 53. [REPEALER.]

Subdivision 1. [MINNESOTA STATUTES.] Minnesota Statutes 2002, sections 116J.036; 116J.414; 268.0111, subdivisions 1, 2, 3a, and 4a; 268.0121, subdivisions 1 and 2; 268.0122, subdivisions 2, 5, and 6; 268.027; 268.028; 268.26, subdivisions 2 and 3; 268.361, subdivision 3; 268.3661; 268.551; 268.552; 268.56, subdivision 2; 268.561, subdivision 10; 268.61, subdivision 2; 268.65, subdivisions 1, 3, 4, and 5; 268.666, subdivision 5; 268.89; 268.918; and 268.95, subdivisions 1, 2, 3, and 5, are repealed. Minnesota Statutes 2003 Supplement, sections 268.0122, subdivision 3; 268.029; 268.26, subdivision 1; 268.65, subdivision 2; 268.95, subdivision 4; and 268.976, subdivision 1, are repealed.

Subd. 2. [LAWS.] Laws 2001, chapter 175, section 49, is repealed.

Subd. 3. [MINNESOTA RULES.] Minnesota Rules, parts 3300.0050; 3301.0180; 3301.0190; 3301.0200; 3301.0210; 3301.0220; 3301.0230; 3310.2903; 3310.2904; 3310.2905, subpart 1; 3310.2906; 3310.2907; 3310.2909; 3310.2918; 3315.0100; 3315.0202; 3315.0501, subparts 3, 4, and 5; 3315.0510; 3315.0530, subpart 1; 3315.0535; 3315.0545; 3315.0555, subpart 5; 3315.0915; 3315.0920; 3315.1005, subpart 2; 3315.1015; 3315.1301, subparts 3 and 6; 3315.1305; 3315.1310; 3315.1650, subpart 1; 3315.2410; 3315.2610; 3315.2750; 3315.2810, subparts 1 and 3; 3315.3220, subpart 4; 3320.0010; 3320.0020; 3320.0030; 7380.0200; 7380.0210; 7380.0220; 7380.0230; 7380.0240; 7380.0500; 7380.0510; 7380.0520; 7380.0530; 7380.0540; 7380.0550; 7380.0560; 7380.0570; 7380.0580; 7380.0581; 7380.0582; 7380.0600; 7380.0610; 7380.0620; 7380.0630; 7380.0640; 7380.0650; 7380.0800; 7380.0810; 7380.0820; 7380.0830; and 7380.0840, are repealed.

Sec. 54. [EFFECTIVE DATE.]

Sections 1 to 53 are effective the day following final enactment.

Presented to the governor May 14, 2004

Signed by the governor May 18, 2004, 3:05 p.m.