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MINNESOTA DEPARTMENT OF

*Children,
Families &
Learning*

**Report to the
Legislature**

**Obsolete Rules
Report**

December 1, 2003

**As required by
Minnesota
Statutes
2001
Section 14.5
Subd. 5**



COMMISSIONER:

Cherie Pierson Yecke, Ph.D.

**Report to the
Legislature**

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Upon request, this report can be made available in alternative formats.



ESTIMATED COST OF PREPARING THIS REPORT

This report provides information which is maintained and published as Minnesota Rules by the Office of Revisor of Statutes as a part of its normal business functions. Therefore, the cost information reported below does not include the cost of gathering the data but rather is limited to the estimated cost of actually analyzing the data, determining recommendations and preparing this report document.

Special funding was not appropriated for the costs of preparing this report.

The estimated cost incurred by the Minnesota Department of Education in preparing this report is \$210.



Minnesota Department of Education

TO: Governor Tim Pawlenty

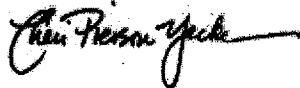
Speaker Steve Sviggum, Chair
Legislative Coordinating Commission

Senator Steve Kelley, Chair
Senator Gen Olson, Ranking Minority Member
Senate Education Committee

Senator LeRoy Stumpf, Chair
Senator Debbie Johnson, Ranking Minority Member
Senate E-12 Education Budget Division

Rep. Barb Sykora, Chair
Rep. Lyndon Carlson, Ranking Minority Member
House Education Policy Committee

Rep. Alice Seagren, Chair
Rep. Mindy Greiling, Ranking Minority Member
House Education Finance Committee



FROM: Cheri Pierson Yecke, Ph.D.

DATE: December 1, 2003

RE: Annual Report on Obsolete, Unnecessary or Duplicative Rules, as Required by *Minnesota Statutes*, Section 140.05, Subdivision 5.

Minnesota Statutes, section 14.05, states:

Review and repeal of rules. 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.

2003 Obsolete Rules

The Minnesota Department of Education has not determined any rules to be obsolete, unnecessary or duplicative of other state or federal statutes or rules.

Status of Rules Identified in the 2002 Obsolete Rules Report

In the 2002 Obsolete Rules Report, the department identified certain rules under its jurisdiction as obsolete. 2003 Minnesota Laws, First Special Session, chapter 9, article 10, section 14 repealed all but one of these identified rules:

- 3500.0600 – Teachers' Duty Free Lunch
- 3520.0400 – Transportation Data Reporting Requirements
- 3520.1400 – Regulations Relating to Equal Transportation
- 3520.3300 – Transportation of Students with a Disability
- 3530.1500 – Service for the Blind and Physically Handicapped and Institutions
- 3530.2700 – Training and Experience Index
- 3530.4400 to 3530.4500 – Disaster Plan
- 3530.4700 – Civil Defense and Building Construction

The legislature did not repeal Minnesota Rules, parts 9565.5500 to 9565.5520, even though they were also identified in our report. Since these rules were transferred to the Department of Human Services in the reorganization, we no longer have the authority to seek their repeal this year.

If you have any questions regarding this report, please contact Chas Anderson at 651.582.8207.

C: Revisor of Statutes
 Chas Anderson, MDE
 Jim Bartholomew, MDE
 Barry Sullivan, MDE
 Jeff Davidman, Office of the Governor