



Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40__

November 18, 2008

Governor Tim Pawlenty

Senator Satveer Chaudhary, Chair
Senate Environment & Natural Resources
Committee

Senator Pat Pariseau
Ranking Minority Party Member
Senate Environment & Natural Resources
Committee

Senator Ellen Anderson, Chair
Senate Environment, Energy, & Natural Resources
Budget Division

Senator Dennis R. Frederickson
Ranking Minority Party Member, Senate
Environment, Energy, & Natural Resources
Budget Division

Mr. Greg Hubinger, Director
Legislative Coordinating Commission

Representative Kent Eken, Chair
House Environment & Natural Resources
Committee

Representative Tom Hackbarth
Ranking Minority Party Member
House Environment & Natural Resources
Committee

Representative Jean Wagenius, Chair
House Environment & Natural Resources Finance
Division

Representative Dennis Ozment
Ranking Minority Party Member, House
Environment & Natural Resources Finance
Division

Ms. Michele Timmons, Revisor
Office of the Revisor of Statutes

(See complete contact information on separate page)

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, directs the Department of Natural Resources 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 Department has previously declared its intention to repeal Minnesota Rules, part 6216.0350, which lists designated infested waters. That process is now underway.
2. The Department has previously declared its intention to revise Minnesota Rules, part 6102.0010, subpart 3, to match a statutory change in Laws of Minnesota 2005, First Special Session, chapter 1, article 2, section 22. We are proceeding with that revision using the good cause exempt process outlined in *Minnesota Statutes*, section 14.388, subdivision 1, clause (3).

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3. 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:
- a. Minnesota Rules, parts 6234.2500 and 6234.3200, relating to use of snares for predator control, are duplicative. In Minnesota Rules, part 6234.3000, subparts 4 and 5 relating to certification for predator control are duplicative. We plan to include a repeal of the duplicates in a future permanent rulemaking package relating to wildlife rules. Our projected timetable for completing that rulemaking is by the end of 2011.
 - b. Minnesota Rules, parts 6237.0500 and 6232.1400, relating to prairie chicken permit areas and deer zone boundaries, are obsolete. We plan to repeal those sections by the end of calendar year 2009 using either the process outlined in *Minnesota Statutes*, section 14.3895, or the process for game and fish expedited permanent rules outlined in *Minnesota Statutes*, section 14.389, (whichever is appropriate).

Please let me know if I can provide further assistance.

Sincerely,



Mark Holsten, Commissioner
Department of Natural Resources

c: Beth Carlson, DNR Rules Coordinator

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DATE: November 18, 2008

LEGISLATIVE REPORT – Cost of Preparation

NAME OF LEGISLATIVE REPORT:

Annual Report on Obsolete, Unnecessary, or Duplicative Rules

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		
OMBS	5 hours staff time	192.00
Division of Fish and Wildlife	3 hours staff time	114.00
Duplication Cost (includes paper)		0.00
Other:		
TOTAL TO PREPARE REPORT (Note: Right click on amount cell and choose update to complete)		\$ 306.00