



MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS

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December 18, 2014

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Jeffrey F. Lebowski
General Counsel
Minnesota Department of Labor and Industry
443 Lafayette Rd N
Saint Paul, MN 55155

Re: *In the Matter of the Proposed Adoption of Exempt Temporary Rules Modifying Means of Egress Relating to Stairway*
OAH 82-1900-32065; Revisor R-4300

Dear Mr. Lebowski:

Enclosed herewith and served upon you by mail is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.386** in the above-entitled matter.

With the approval of the adopted rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Department of Labor and Industry so that the Department can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Upon submission to the Office of Administrative Hearings of the Department's signed order approving the rules, the Office of Administrative Hearings will file four copies of the rules with the Secretary of State. The Department's next step is to arrange for publication of the proposed amendments in the State Register as required by Minn. Stat. § 14.386(a)(4).

If you have any questions regarding this matter, please contact Denise Collins at 651-361-7875.

Sincerely,

A handwritten signature in black ink that reads "Barbara J. Case".

BARBARA J. CASE
Administrative Law Judge

BJC:klm
Enclosure

cc: Legislative Coordinating Commission (lcc@lcc.leg.mn)
Attorney General Lori Swanson
Paul Marinac (paul.marinac@revisor.mn.gov)
Amy Hang

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE DEPARTMENT OF LABOR AND INDUSTRY

In the Matter of the Proposed Adoption of
the Exempt Temporary Rules Modifying a
Means of Egress Regulation Relating to
Stairway Width in the International
Residential Building Code, Minnesota
Rules, Part 1309.0311

**ORDER ON REVIEW
OF RULES UNDER
MINN. STAT. § 14.386
AND MINN. R. 1400.2400**

This matter came before Administrative Law Judge Barbara J. Case upon the application of the Minnesota Department of Labor and Industry (Department) for a legal review under Minn. Stat. § 14.386 (2014).

On December 4, 2014 the Department filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.386 and Minn. R. 1400.2400 (2013).

Based upon a review of the written submissions by the Department,

IT IS HEREBY DETERMINED THAT:

1. The rules were adopted in compliance with the procedural requirements of Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400 (2014).
2. According to Minn. Stat. §§ 326B.02, subd. 5; .101; .106, subd. 1 (2014); the Department has the statutory authority to adopt these proposed rules using the exempt rulemaking process.
3. The Department requires these rules in order to address a serious and immediate threat to public health, safety and welfare caused by the inadvertent deletion of stairway width requirements from the Minnesota Residential Building Code (Chapter 1309). Therefore, the Department has provided adequate justification for use of Good Cause Exempt Rulemaking pursuant to Minn. Stat. § 14.388, subd. 1(1) (2014).

IT IS HEREBY ORDERED THAT:

The adopted rules are **APPROVED**.

Dated: December 18, 2014



BARBARA J. CASE
Administrative Law Judge