

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE PLUMBING BOARD

In the Matter of the Adoption of New Expedited
Permanent Rules of the Plumbing Board
Regulating Backflow Prevention Rebuilder and
Tester Certifications; Minnesota Rules,
Parts 4716.0095 through 4716.0097

**ORDER ON REVIEW
OF RULES UNDER
MINN. STAT. § 14.389
AND MINN. R. 1400.2410**

On January 15, 2013, the Minnesota Plumbing Board (Board) filed documents with the Office of Administrative Hearings (OAH) seeking review and approval of the above-entitled rules under Minn. Stat. § 14.389 and Minn. R. 1400.2410.

Based upon a review of the written submissions by the Board, and the contents of the rulemaking record,

IT IS HEREBY ORDERED THAT:

1. The proposed rules were adopted in compliance with the procedural requirements of Minnesota Statutes, chapter 14, and Minnesota Rules, chapter 1400.
2. According to Minn. Stat. § 326B.437(d), the Board has the statutory authority to adopt these proposed rules using the expedited rulemaking process.
3. The modifications made by the Board in response to comments received from interested members of the public do not make the rules substantially different from the rules as originally proposed.
4. The proposed rule parts are **APPROVED**.¹

Dated: January 30, 2013



BARBARA L. NEILSON
Administrative Law Judge

¹ While there are no defects in the rules, the Administrative Law Judge recommends that the Board consider making two minor wording changes in the rules: (1) delete the word "the" at the beginning of line 2.15 as unnecessary; and (2) refer to the "commissioner" rather than the "department" in line 2.23, in order to be consistent with line 2.9. If the Board chooses to adopt these recommendations, it would not render the rules substantially different from the rules as originally proposed.