

November 15, 2018

**VIA EMAIL ONLY**

Jeffrey Lebowski  
Rules Coordinator  
Minnesota Department of Labor & Industry  
443 Lafayette Rd N  
St. Paul, MN 55155  
[jeffrey.f.lebowski@state.mn.us](mailto:jeffrey.f.lebowski@state.mn.us)


**Re: *In the Matter of the Rules Governing the Minnesota State Building Code***  
**OAH 71-9001-35638; 21-9001-35639; 65-9001-35629; 8-9001-35632; 82-9001-35630; 82-9001-35635; 5-9001-35633; 71-9001-35634; 80-9001-35636; 8-9001-35637; OAH 60-9001-35631**

Dear Mr. Lebowski:

Enclosed herewith and served upon you please find the **ORDER ON REQUEST TO OMIT FROM THE NOTICE THE TEXT OF PROPOSED RULES, PURSUANT TO MINN. STAT. § 14.14, SUBD. 1(B)** in the above-entitled matter.

If you have any questions regarding this matter, please contact Katie Lin at (651) 361-7911, [katie.lin@state.mn.us](mailto:katie.lin@state.mn.us) or facsimile at (651) 539-0310.

Sincerely,

  
SHEENA DENNY  
Legal Assistant

Enclosure

OAH 71-9001-35638 (Rule Chapter 1300)  
OAH 21-9001-35639 (Rule Chapter 1303)  
OAH 65-9001-35629 (Rule Chapter 1305)  
OAH 8-9001-35632 (Rule Chapter 1307)  
OAH 82-9001-35630 (Rule Chapter 1309)  
OAH 82-9001-35635 (Rule Chapter 1311)  
OAH 5-9001-35633 (Rule Chapter 1322)  
OAH 71-9001-35634 (Rule Chapter 1323)  
OAH 80-9001-35636 (Rule Chapter 1341)  
OAH 8-9001-35637 (Rule Chapter 1346)  
OAH 60-9001-35631 (Rule Chapter 7511)

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Rules Governing  
the Minnesota State Building Code

**ORDER ON REQUEST TO OMIT FROM THE  
NOTICE THE TEXT OF PROPOSED RULES,  
PURSUANT TO MINN. STAT. § 14.14,  
SUBD. 1(B)**

This matter came before Chief Administrative Law Judge Tammy L. Pust on September 26, 2018. The Minnesota Department of Labor and Industry (Department) seeks an order authorizing the omission of the proposed rule text when it publishes its notices of possible revisions to the Minnesota State Building Code for each of the proposed rule chapters referenced above. The Department asserts that the expense of printing the proposed rules in the *State Register* is unduly burdensome, and a poor use of limited state resources, given the narrow class of persons affected by the rule proposals.

As an alternative to publication, the Department pledges to circulate notice of the rulemakings to approximately 1,500 stakeholders, to post electronic copies of the proposed rules on the Department's website, and to provide a free copy of the entire rule text upon request. Further, the Department's notices will detail the subject matter of the omitted rule text, cite the statutory authority for the proposed rules, and outline the proposed rules' purpose and motivation.

**IT IS HEREBY ORDERED:**

Conditioned upon the Department's use of the procedures outlined in its petition of September 26, 2018, the request to omit the proposed rule text is **GRANTED**.

Dated: November 15, 2018



---

TAMMY L. PUST  
Chief Administrative Law Judge