

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rules of the  
Capitol Area Architectural and Planning  
Board Governing Capitol Area  
Commemorative Artwork, Minnesota  
Rules Chapter 2400

**REPORT OF CHIEF  
ADMINISTRATIVE LAW JUDGE  
ON REVIEW OF RULES**

This matter came before the Chief Administrative Law Judge pursuant to the provisions of Minn. Stat. § 14.15, subds. 3, 4 (2020), and Minn. R. 1400.2240 subp. 4 (2021). These authorities require the Chief Administrative Law Judge to review an administrative law judge's findings that a proposed agency rule is defective and should not be approved.

This rulemaking concerns the proposed rules of the Capitol Area Architectural and Planning Board (Board) governing its determinations related to changes, improvements, and additions to commemorative works in the Minnesota Capitol Area.

Based upon a review of the record in this proceeding, the Chief Administrative Law Judge **CONCURS** with the disapproval of the proposed rule amendments identified in the Administrative Law Judge's Report dated May 18, 2022. The changes or actions necessary for approval of the disapproved rules are identified in the Administrative Law Judge's Report.

If the Board elects not to correct the defects associated with the proposed rules, the Board must submit the rule to the Legislative Coordinating Commission and the House of Representatives and Senate policy committees with primary jurisdiction over state governmental operations for review under Minn. Stat. § 14.15, subd. 4.

If the Board chooses to make changes to correct the defects or adopt the recommendations of the Administrative Law Judge, it shall submit to the Chief Administrative Law Judge (and clearly labeled): (1) a copy of the rules as initially proposed; (2) the order adopting the rules; (3) the rules showing the Board's changes in redlined format; and (4) a "clean" copy of the rules, as finally modified (without redline changes), as the Board intends to submit to the Revisor for publication. The Chief Judge

will then determine whether the defects have been corrected and whether the modifications to the rules make them substantially different than originally proposed.

Dated: May 26, 2022

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

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JENNY STARR  
Chief Administrative Law Judge