

August 10, 2023

VIA EFILING ONLY

Kay Weiss
Assistant Executive Director
Minnesota Board of Architecture,
Engineering, Land Surveying, Landscape
Architecture, Geoscience and Interior
Design
85 East Seventh Place Ste 160
Saint Paul, MN 55101
kay.weiss@state.mn.us

Re: *In the Matter of Proposed Amendment to Rules Governing Definitions; Information Required for Applications; Foreign Degree Evaluation; Architect Initial Licensure Application; Landscape Architect Education and Experience Requirements; Fundamentals of Soil Scientist Examination Registration; Application Validity and Expiration; and Housekeeping Updates. Minnesota Rules, Chapter 1800*
OA# 65-9038-39105; Revisor R-04764

Dear Assistant Executive Director Weiss:

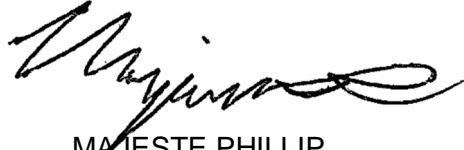
Enclosed herewith and served upon you is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.26** in the above-entitled matter. The Administrative Law Judge has determined there are no negative findings in these rules.

The Office of Administrative Hearings has closed this file and is returning the rule record so that the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Please ensure that the agency's signed order adopting the rules is filed with our office. The Office of Administrative Hearings will request the finalized rules from the Revisor's office following receipt of that order. Our office will then file the adopted rules with the Secretary of State, who will forward one copy to the Revisor of Statutes, one copy to the Governor, and one to the agency for its rulemaking record. The Board will then receive from the Revisor's office three copies of the Notice of Adoption of the rules.

The Board's next step is to arrange for publication of the Notice of Adoption in the State Register. Two copies of the Notice of Adoption provided by the Revisor's office should be submitted to the State Register for publication. A permanent rule without a hearing does not become effective until five working days after a Notice of Adoption is published in the State Register in accordance with Minn. Stat. § 14.27.

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

A handwritten signature in black ink, appearing to read 'Majeste Phillip', with a large, sweeping flourish at the end.

MAJESTE PHILLIP
Legal Specialist

Enclosure

cc: Legislative Coordinating Commission
Revisor of Statutes

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Rule Amendments by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design to Minnesota Rules Chapter 1800

**ORDER ON REVIEW OF
RULES UNDER
MINN. STAT. § 14.26**

The Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (Board) seeks review and approval of the amendments to Minnesota Rules Chapter 1800, which the Board adopted pursuant to Minn. Stat. § 14.26 (2022). On July 28, 2023, the Board filed with the Office of Administrative Hearings all documents required under Minn. Stat. § 14.26 and Minn. R. 1400.2310 (2023).

Based upon a review of the written submissions and filings, as well as Minnesota Statutes and Rules,

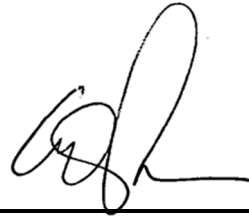
IT IS HEREBY DETERMINED:

1. The Board has the statutory authority to adopt the amendments to the rules.
2. The Board adopted the rule amendments in compliance with the procedural requirements of Minn. Stat. §§ 14.001-.69 (2022) and Minn. R. 1400.2000-.2310 (2023).
3. The technical modifications to the rules made by the Board following publication of the rules in the *State Register* do not result in substantially different rules within the meaning of Minn. Stat. §§ 14.05, subd. 2 and 14.24.
4. The failure to provide additional notice to Hennepin Technical College was harmless error because that institution does not provide a degree program that would be impacted by the proposed rule amendments. The Board otherwise complied with its Additional Notice Plan and adequate notice was provided to potentially interested parties.
5. The record demonstrates the rule amendments and the repeal of obsolete rules are needed and reasonable.

THEREFORE, IT IS ORDERED THAT:

The rules are **APPROVED**.

Dated: August 10, 2023

A handwritten signature in black ink, appearing to read 'A. O'Reilly', positioned above a horizontal line.

ANN C. O'REILLY
Administrative Law Judge