

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE BOARD OF ANIMAL HEALTH

In the Matter of the Proposed Adoption by the
Board of Animal Health of New Rules Governing
Animal Health, Minnesota Rules Chapter 1721;
and the Proposed Repeal of Existing Rules
Governing Animal Health, Minnesota Rules
Chapters 1700, 1705, 1710, 1715, 1719, and 1720

**CHIEF ADMINISTRATIVE LAW
JUDGE'S ORDER ON REVIEW OF
RULES UNDER MINN. STAT. § 14.16,
SUBD. 2, AND MINN. R. 1400.2240,
SUBP. 4**

The Minnesota Board of Animal Health (Board) proposes to adopt and repeal the above-entitled rules pursuant to Minn. Stat. § 14.16. A public hearing regarding the proposed rules was held on September 20, 2012. On December 7, 2012, Administrative Law Judge Barbara L. Neilson issued a Report in which she determined that the proposed rules were defective in certain respects. On December 11, 2012, the undersigned Chief Administrative Law Judge issued a Report approving Judge Neilson's Report.

On January 24, 2013, the Board requested that the Chief Administrative Law Judge review and approve modifications to the rules. On February 4, 2013, the Office of Administrative Hearings asked the Board to supplement the record by making additional modifications to the proposed rules and providing a proposed Order Adopting Rules. On February 8, 2013, the Board submitted a revised version of the rules and a proposed Order to Repeal/Adopt the Rules. On February 14, 2013, the Office of Administrative Hearings asked that the Department further supplement the record by clarifying the Order to Repeal/Adopt the Rules. On February 15, 2013, the Board submitted a signed Order to Repeal/Adopt the Rules and an Authorizing Resolution from the Board and, on February 27, 2013, the Board submitted a revised Order to Repeal/Adopt the Rules correcting an erroneous reference to the date on which the authorizing resolution was adopted. The OAH record in this matter closed on February 27, 2013.

The Chief Administrative Law Judge finds that the final proposed rules are not substantially different from those originally published by the Board in the *State Register* on July 23, 2012, and proposed at the public hearing.

Based upon a review of the materials and modifications submitted by the Board, Minnesota Statutes, Minnesota Rules, and the previous order issued in this matter,

IT IS HEREBY ORDERED: that the proposed rules, as modified and approved by the Revisor on February 6, 2013 (AR3976), are approved as to legality.

Dated: March 4, 2013.

____s/Raymond R. Krause_____
RAYMOND R. KRAUSE
Chief Administrative Law Judge