[Dates, names, and other information should be changed to reflect your agency’s submission. Replace “Agency” with “Department/Board/Bureau/Commission” as applicable.]

# Notice of Intent to Adopt Rules with a Hearing

**Minnesota [Agency Name]**

**[Title] Division [THIS LINE IS OPTIONAL]**

**Proposed [Amendment to] [Repeal of] Rules Relating to [Topic], *Minnesota Rules*, [citation]; Revisor’s ID Number [number]; OAH Docket Number [number]**

*[Identify the title and rule chapter or part numbers as assigned by the Revisor. Note: if you are proposing to repeal any entire rule parts, you must specifically list the rule parts you are proposing to repeal, per Minnesota Rules, part 1400.2080, subpart 2, item D.]*

**Introduction.** The Minnesota [Agency Name] intends to adopt rules after a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. You may submit written comments on the proposed rules until **4:30 p.m. on [day], [month] [day], [year]**.

**Public Hearing.** The agency will hold a virtual public hearing on the above-named rules on **[day], [month] [date], [year]**, at [insert start time] and [continuing until the hearing is completed] OR [until [time hearing ends]].

You can participate in the virtual hearing, which will be conducted by an Administrative Law Judge from the Office of Administrating Hearings, via WebEx by using this link along with the associated access code and password:

For a video and audio connection, join the hearing through an internet connection:

* Web link: <https://minnesota.webex.com>
* Meeting Number (access code): #...
* Password: #....

For audio-only connection, join the virtual hearing by telephone:

* Call: 1-###-###-#### (this is not a toll-free number)
* Access code: [insert code]
* Password: [insert password]

The agency will schedule additional days of hearing if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written comments, statements, or arguments. Statements may be submitted without appearing at the hearing.

If the public hearing is postponed or rescheduled, the agency will send a notice of such a change to the organization listed on its additional notice plan and post the notice of such a change on its website at **[insert URL]**.

**Administrative Law Judge.** Administrative Law Judge [judge’s name] will conduct the hearing. The judge can be reached by contacting William Moore, Rules Coordinator, Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone 651-361-7893, and william.t.moore@state.mn.us.

**Subject of Rules.** The proposed rules are about [subject of the rules and, if applicable, that an entire rule is being repealed and a citation to the rule [*Minnesota Rules*, [citation]].

*[See section 7.8 of the Manual on drafting the description of the rules in the Notice in a way that may affect whether modifications to the rules will make the adopted rules “substantially different” from the proposed rules. For example, if you have two substantially different alternative rule provisions OR rules that set a numerical value (i.e., pollution discharge levels, noise levels, minimum number of employees to trigger a requirement, or utility rates), you may be able to draft the description of the rules in the Notice in a way that will allow the Department to adopt either alternative or adopt a value within a range without having to go through additional rule proceedings to adopt substantially different rules.]*

**Statutory Authority.** The statutory authority to adopt these rules is [citation to most recent Minnesota Statutes citation, or Minnesota Laws if the statute has not yet been codified].

**Publication of Proposed Rules.** A copy of the proposed rules is published in the *State Register* [and attached to this notice as mailed]. [The proposed rules may be viewed at: [insert web URL].]

*[If the proposed rules are not attached to the mailed notice, then this notice must include an easily readable and understandable description of the rules’ nature and effect and include the announcement that: A free copy of the rules is available upon request from the agency contact person listed below.]*

**Statement of Need and Reasonableness.** The statement of need and reasonableness (SONAR) contains a summary of the justification for the proposed rules, a description of who will be affected by the proposed rules, and an estimate of the probable cost of the proposed rules. You may obtain copies for the cost of reproduction by contacting the agency contact person listed below. The SONAR may be viewed at: [insert web URL].

**Agency Contact Person.** The agency contact person is [name] at [Agency Name, address, phone, fax, and *email*]. You may contact the agency contact person with questions about the rules.

*[The agency contact person should be a person who is available throughout the comment period.]*

**Public Comment.** You and all interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. The Administrative Law Judge will accept your views orally at the hearing or in writing at any time before the close of the hearing record.

Submit written comments to the Administrative Law Judge via the [Office of Administrative Hearings Rulemaking eComments website (https://mn.gov/oah/forms-and-filing/ecomments/)](https://mn.gov/oah/forms-and-filing/ecomments/). All evidence that you present should relate to the proposed rules. If the proposed rules affect you in any way, the agency encourages you to participate.

You may also submit written materialto the Administrative Law Judgeto be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order this five-day comment period extended for a longer period but for no more than 20 calendar days.

After the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period.

The Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge via the Office of Administrative Hearings Rulemaking e-comments website at [Office of Administrative Hearings Rulemaking eComments website (https://mn.gov/oah/forms-and-filing/ecomments/)](https://mn.gov/oah/forms-and-filing/ecomments/) no later than 4:30 p.m. on the due date. If using the eComments website is not possible, you may submit post-hearing comments in person or via United States mail addressed to Judge [ALJ’s last name] at the address listed above.

All comments or responses received are public data and will be available for review on the eComments website [and at the [agency] or on the Agency’s website at [URL]].

**Hearing Procedure.** The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the Administrative Law Judge through William Moore, the OAH Rules Coordinator listed above.

**Modifications.** The agency may modify the proposed rules either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted during the public comment and rule hearing process. The adopted rules may not be substantially different than these proposed rules unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adoption in the *State Register*. If the final rules are different from the rules originally published in the *State Register*, the agency must publish a copy of the changes in the *State Register*.

***[Insert other notices required by law or chosen to be inserted in this notice]***

**Adoption Procedure after the Hearing.** After the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge’s report will become available and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State, or register with the agency to receive notice of future rule proceedings by requesting this at the hearing or by writing to the agency contact person stated above.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions about this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Alternative Format/Accommodation.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

*[For information on what to do if you get a request to make the Notice available in an alternative format or for an accommodation to make the hearing accessible, see* ***ACCMMDTN*** *in the appendix.]*

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

[Date]

[Name]  
[Commissioner/Director]

*[Date and signature are required on the Notice. OAH Rules, part 1400.2080, subpart 2, item I.]*