[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 Repeal Obsolete Rules

**Minnesota [Agency Name]**

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

**Proposed Repeal of Obsolete 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 repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until **4:30 p.m. on [day], [month] [day], [year]**.

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The proposed obsolete rules are about [subject of rules and, if applicable, that an entire set of rules is being repealed and a citation to the repealed rules].

**Statutory Authority.** The agency identified the proposed obsolete rules to be repealed in its annual obsolete rules report under Minnesota Statutes section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules is found in Minnesota Statutes, section 14.3895. The initial statutory authority under which these rules were created is found in Minnesota Statutes, section [cite authority], which gives the Commissioner of [Agency Name] the authority to make rules to [describe authority].

**Publication of Proposed Rules.** A copy of the proposed obsolete rules to be repealed is published in the *State Register* [and attached to this notice as mailed]. [The proposed obsolete rules to be repealed may be viewed at: (insert web URL).]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

**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 have until **4:30 p.m. on [day], [month] [date], [year]**, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal. [Make sure that your comment period is at least 60 days as required by Minnesota Statutes, section 14.3895, subd. 3.]

Your comment must be in writing and received by the agency contact person by the due date. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

*[Choose whether you will use the OAH’s eComments system for accepting comments and adapt the following two paragraphs accordingly. It is not recommended to have comments submitted BOTH to the agency contact person and OAH eComments – choose one or the other. If you are using eComments and the agency receives comments directly, send them to William Moore at OAH to post on the eComments site.]*

Submit written comments [to the agency contact person listed above] [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/), by U.S. Mail delivered to the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, or by fax (651) 539-0310].

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

**Request for Hearing.** In addition to submitting comments, you may also request that the agency hold a public hearing on the rules. You must make your request for a public hearing in writing by **4:30 p.m. on [day], [month] [date], [year]**. [This too requires 60 days.] You must include your name and address in your written request for hearing. You must identify the portion of the proposed repealed rules that you object to or state that you oppose the entire set of rules. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing.

**Effect of Requests.** If 25 or more people submit a written request, the agency will have to meet the requirements of Minnesota Statutes, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of Minnesota Statutes, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

**Modifications.** The agency might modify its choice of these designated rules or parts proposed for repeal (for example, fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules are identical to the rules originally published in the *State Register*, the agency will publish a notice of adopting the repealer(s) 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]***

**Repeal and Review of Obsolete Rules.** If no hearing is required, the agency may repeal the obsolete rules after the end of the comment period. The agency will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want to receive notice of this, to receive a copy of the repealed obsolete rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

[Date]

[Name]
[Commissioner/Director]

*[Signature is required on the Notice. OAH Rules, part 1400.2085, subpart 2, item O.]*