[When you first prepare your Notice for review by OAH, leave blanks for the name and phone number of the ALJ. After OAH gives approval and the name of the ALJ, fill in the blanks. You may adjust the margins to get it on two or four pages for mailing purposes.]

# [Revised in 2016 Editor’s note: To alert you to changes, 2016 additions appear in bold typeface. Remember to remove the bracketed notations and to restore text before submitting it to the ALJ for review.]

**Minnesota Department of [Name]**

**Division of [Name, or Unit, Bureau, etc.] [Optional]**

**NOTICE OF HEARING**

**Proposed [Amendment to] [Repeal of] Rules Governing [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.]

**[Revised in 2018] Public Hearing.** The Department of [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. The agency will hold a public hearing on the above-named rules in [room], [building], [address], [city], Minnesota [zip], starting at [time hearing starts] on [day], [month] [date], [year], and **[**continuing until the hearing is completed**]** **OR [until [time hearing ends]]** . 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 data, statements, or arguments. Statements may be submitted without appearing at the hearing.

- [See section 7.7 of the Manual on choosing a hearing date and location.]

**Administrative Law Judge.** Administrative Law Judge [judge’s name] will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7875, and fax (651) 539-0310. 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.

- [Leave the judge’s name blank in the version that you submit to OAH for review and approval. When OAH approves your Notice, OAH will give you this information for you to insert in the State Register and Mailing versions.]

**Subject of Rules, Statutory Authority, and Agency Contact Person.** 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]}]. The proposed rules are authorized by *Minnesota Statutes*, section [specific section number]. A copy of the proposed rules is published in the *State Register* [and attached to this notice as mailed] [and is available at the agency’s website at {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.] The agency contact person is: [name] at [agency, address, phone, fax, and *email*)].

- [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 agency to adopt either alternative or adopt a value within a range without having to go through additional rule proceedings to adopt substantially different rules.]

- [When specifying the statutory citation for authorization to adopt the rules, you should use the most recent *Minnesota Statutes* citation, or *Minnesota Laws* if the statute has not yet been codified.]

- [The agency contact person should be a person who is available throughout the comment period. If a different person will be sending out copies of the rules and SONAR, you may separately identify that person in the Notice.]

**Statement of Need and Reasonableness.** The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person.

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

**Public Comment.** **[Revised in 2016]** 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* either 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 at the address above or* **via the** [**Office of Administrative Hearings Rulemaking eComments website** ***https://minnesotaoah.granicusideas.com/discussions***](https://minnesotaoah.granicusideas.com/discussions). All evidence that you present should relate to the proposed rules. You may also submit written material *to the administrative law judge* to 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. Following 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 no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the administrative law judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

**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.]

**Modifications.** The agency may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the 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 proposed rules affect you in any way, the agency encourages you to participate.

**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 when the 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 files them with the Secretary of State, or ask to register with the agency to receive notice of future rule proceedings. You may make these requests at the hearing or in 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 should direct questions regarding 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.

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

Date [Name]

[Title]

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