**Minnesota Department of [Name]**

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

**REQUEST FOR COMMENTS**

**Possible [Amendment to] [Repeal of] Rules Governing [Topic], *Minnesota Rules*, [citation]; Revisor’s ID Number [number]**

**Subject of Rules.** The Minnesota Department of [Name] requests comments on its possible [amendment to] [repeal of] rules governing [topic]. The Department is considering [rules] [rule amendments] [repealing its rules] that [give a detailed description of the subject matter of the possible rules. [As part of this, you might want to include a summary of the issues to be considered. If you wish to build leeway into the scope of your subject matter, you could add a general phrase such as “other things that come up, but only as we have time” or other agency-specific criteria that makes it clear that this is the agency’s prerogative.].

**Persons Affected.** The [amendment to] [repeal of] the rules would likely affect [description of types of groups and individuals likely to be affected].

**Statutory Authority.** *Minnesota Statutes*, section [section #], [authorizes / requires] the Department to adopt rules for [briefly describe or quote your statutory authority].

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing [or orally] [until 4:30 p.m. on [date]] **OR** [until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments.]. The Department [does / does not] plan to appoint an advisory committee to comment on the possible rules. [It is optional for an agency to use an advisory committee and it is optional for an agency to state its plans regarding an advisory committee. Nevertheless, it is highly recommended that the agency be very open about its plans regarding an advisory committee, so you may also want to give details about the formation, work, and time line of any planned advisory committee.]

[Consider that if your rule might require local government to adopt or amend an ordinance or other regulation under Minnesota Statutes, section 14.128, including a request that local governments provide you with information about their ordinances. **[New in 2016]** For example, you might say:

The [agency] is also interested in whether local governments might be required to adopt or amend an ordinance or other regulation to implement these rules and therefore requests that localgovernments provide us with relevant information about their ordinances.

[You might seek information about whether the cost of complying with the rule in the first year after the rule takes effect will cost will exceed $25,000 for one small city or business under Minnesota Statutes, section 14.127. **OR** you also might request comments about the “cumulative effect of the rule with other federal and state regulations,” as required by Minnesota Statutes, section 14.131(8).]

**Rules Drafts.** The Department [insert either: [has / has not yet] drafted the possible rules [amendments] [repeal] **OR** does not anticipate that a draft of the rules [amendments] [repeal] will be available before the publication of the proposed rules].

**Agency Contact Person.** Written [or oral] comments, questions[, requests to receive a draft of the rules] [when it has been prepared], and requests for more information on these possible rules should be directed to: [name] at [agency, address, phone, fax, and *email*] or **[New in 2016]** [submit written comments via the Office of Administrative Hearings Rulemaking eComments website at *https://minnesotaoah.granicusideas.com/discussions*.]

**Alternative Format.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, 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 Request for Comments available in an alternative format, see **ACCMMDTN** in the appendix.]

**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Dated: [Date] [Name], Commissioner

Department of [Name]

- [Note: There is no statutory requirement for the Request to be signed. Your agency, however, might have internal requirements for approval before taking this first formal rulemaking step. And having management review and sign off on the Request to get their buy-in is a good idea.]