



# Know more about the rule process

## How can I participate in the rulemaking process?

- [Sign-up](#) to receive electronic notices and updates for the rule(s) of interest.
- Check the [rules docket](#) to find more information (i.e., rulemaking web page, [advisory committee](#), etc.)
- Respond to notices seeking comments.

## What is a Request for Comments (RFC)?

- It is legal notice of our intent to begin a particular rulemaking (not required for [exempt rules](#)) and provides the first opportunity for public comment on the rulemaking.
- Draft rule language is usually not available. We just want your feedback on the ideas described in the RFC. At this point there is often a description of the intended changes provided on the rulemaking webpage.
- If you have ideas about the rulemaking described, please let us know. For example, if you have data related to the implementation costs or scope of the proposed rulemaking that might inform our decisions, please share that information. Sharing your ideas at an early stage in rulemaking helps to ensure informed decision-making on our part.

## What is the purpose of a Notice?

- It is legal notice that we are planning to adopt the proposed rules and want to hear comments about them.
- We can publish different types of notices (e.g. notice of intent to adopt rules with a hearing, notice of intent to adopt rules without a hearing, or dual notice) depending on the expected level of controversy.
- Each notice will contain information pertinent to that rulemaking (i.e., contact person, subject of rules, rule draft, deadlines, how to obtain a Statement of Need and Reasonableness, how to comment or request a hearing, etc.)

## How do I provide comments?

- At a minimum, you can state that you support or oppose the whole rule.
- For specific comments, provide the specific cite(s), if rule language is available.
- Describe what concerns you and why.
- Provide, if possible, alternative language that addresses your concern.
- Comments submitted are public information and are generally posted on a rulemaking web page.

## What happens at a rule hearing?

- An Administrative Law Judge (ALJ) is in charge of the hearing and will conduct it according to specific conditions.
- PCA staff demonstrates that all relevant legal and procedural requirements of law have been met, and demonstrates the need for and reasonableness of each portion of the proposed rule.
- The ALJ will provide the opportunity to speak and ask questions, but may limit repetitive or immaterial statements.
- Anyone may speak at the hearing or submit comments or information into the record at that time.
- The hearing will be recorded or a court reporter will prepare a transcript.

## Planning on participating at a rule hearing?

- An ALJ is in charge of the hearing and will conduct it according to specific conditions.
- PCA staff demonstrates that all relevant legal and procedural requirements of law have been met, and demonstrates the need for and reasonableness of each portion of the proposed rule.
- The ALJ will provide the opportunity to speak and ask questions, but may limit repetitive or immaterial statements.
- Anyone may speak at the hearing or submit comments or information into the record at that time.
- The hearing will be recorded or a court reporter will prepare a transcript.

## What happens after a hearing?

- There is always an opportunity to submit additional comments and information after the hearing. The length of that additional comment period is determined by the ALJ, depending on the degree of complexity and the amount of controversy.
- At the close of the post-hearing comment period there will be an opportunity to rebut the comments made at the hearing. The rebuttal period is five days after the close of the comment period and no new information can be submitted during that rebuttal period.
- The ALJ will review the record, including all the comments received during the comment periods, hearing and rebuttal period. The ALJ will issue a report that either approves the rules for adoption or identifies defects that must be corrected before the rules can be adopted.

## How do I know a rule is completed?

- A final adoption notice will be published in the Minnesota State Register.
- The MPCA will send an electronic notice to those individuals or organizations that have subscribed to receive electronic notices.
- The information will be located in the [rules docket](#) for one year.