[Agency Logo Here]

STATEMENT OF NEED AND REASONABLENESS

In the Matter of Proposed Revisions of Minnesota [Rule Chapters]; [Revisor ID No.]

[Division Name]

[Month], [Year]

Note to drafter: Replace the Manual footer from this title page with your own.

General information:

1. Availability: The State Register notice, this Statement of Need and Reasonableness (SONAR), and the proposed rule will be available during the public comment period on the Agency’s Public Notices website: [[Insert](https://www.pca.state.mn.us/public-notices) agency link, if applicable]
2. View older rule records at: [Minnesota Rule Statutes https://www.revisor.mn.gov/rules/status/](https://www.revisor.mn.gov/rules/status/%22%20%5Co%20%22Link%20to%20older%20Revisor%20rule%20records.)
3. Agency contact for information, documents, or alternative formats: Upon request, this Statement of Need and Reasonableness can be made available in an alternative format, such as large print, braille, or audio. To make a request, contact [agency rules contact, [Rulemaking Coordinator or other title], [agency], [address], St. Paul, MN 551XX-XXXX; telephone 651-XXX-XXXX; 1-800-XXX-XXXX; email firstname.lastname@state.mn.us; or use your preferred telecommunications relay service.
4. How to read a Minnesota Statutes citation: Minn. Stat. § 999.09, subd. 9(f)(1)(ii)(A) is read as Minnesota Statutes, section 999.079, subdivision 9, paragraph (f), clause (1), item (ii), subitem (A).
5. How to read a Minnesota Rules citation: Minn. R. 9999.0909, subp. 9(B)(3)(b)(i) is read as Minnesota Rules, chapter 9999, part 0909, subpart 9, item B, subitem (3), unit (b), subunit (i).

Note to drafter: This template anticipates you will use the Revisor's Office style, which spells out the citations in full. If you choose to use the abbreviated citation form, include paragraphs 4 and 5 above to describe the abbreviations for your audience. Otherwise, omit them if you use the Revisor's Office style. Your SONAR will appear better to your reader if choose your citation style and use it consistently throughout the document. Do not forget to remove this instruction

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Acronyms

APA Administrative Procedures Act

ALJ Administrative Law Judge

CFR Code of Federal Regulations

MAT MN Association of Townships

Minn. R. pt Minnesota Rules part

Minn. Stat. Minnesota Statutes

MMB Minnesota Management and Budget

MN Minnesota

MORS MN Office of the Revisor of Statutes

OAH Office of Adminitrative Hearings

SONAR Statement of Need and Reasonableness

[More as needed] [Additional definitions]

Introduction and overview

Introduction

[Introduction text here]

Statement of General Need

[Statement of General Need text here]

The agency needs these amendments to:

[Reason for amendments]

Scope of the proposed amendments:

The following chapters of Minnesota rules are being affected by the proposed changes:

Minnesota Rules, chapter 9999, establishes [text here].

[Add more information as needed.]

Background

[Background text here]

[This is for quoted statutory text.]

[More information as needed.]

Public participation and stakeholder involvement

[Public participation and stakeholder involvement text here.]

[Additional information]

Statutory authority

[Statutory authority information here.]

[Additional information]

Reasonableness of the amendments

General Reasonableness

[Statement of general reasonableness here]

1. [List of statements – statement 1
2. [List of statements – statement 2]

Rule-by-Rule Analysis

[Statement of specific reasonableness]

Proposed change to Minnesota Rules:

Part [Part of Rule]

Justification for Minnesota Rules, part [number]

[Text here].

Part [part number]

Justification for Minnesota Rules, part [number]

[Text here].

Regulatory analysis

This part addresses the requirements of Minnesota Statutes, section 14.131 (a), which require state agencies to address a number of questions in the SONAR. In some cases, the response will depend on a specific amendment being proposed and specific detail will be provided. However, for most of the questions, the [agency’s] response can be general and will apply across all of the components of this rulemaking, regardless of the specific amendment being proposed.

Description of the classes of persons who probably will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.

[Description of classes of persons affected by the rule text here]

The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.

[Probable costs to the agency and other any other agency text here]

A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.

[Less costly or less instrusive methods text here]

A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the Agency and the reasons why they were rejected in favor of the proposed rule.

[Alternative methods for achieving the purposed of the proposed rule text here]

The probable costs of complying with the proposed rule, including the portion of the total costs that will be borne by identifiable categories of affected parties, such as separate classes of governmental units, businesses, or individuals.

[Probable costs of complying with the proposed rule text here]

The probable costs or consequences of not adopting the proposed rule, including those costs or consequences borne by identifiable categories of affected parties, such as separate classes of government units, businesses, or individuals.

[Probable costs or consequences of not adopting the proposed rule text here]

An assessment of any differences between the proposed rule and existing federal regulations and a specific analysis of the need for and reasonableness of each difference.

[Assessment of differences between the proposed rule and existing federal regulations text here]

An assessment of the cumulative effect of the rule with other federal and state regulations related to the specific purpose of the rule.

[Assessment of the cumulative effect of the rule with other federal and state regulations.]

[Other statements, such as Environmental Justice Policy, Health Equity Policy, etc., as needed]

[Text here on environmental justice, health equity or other policies as needed]

Notice Plan

Minnesota Statutes, section 14.131, requires that an agency include in its SONAR a description of its efforts to provide additional notification to persons or classes of persons who may be affected by the proposed rule or must explain why these efforts were not made.

[General overview of what the agency is doing for the Additional Notice plan.]

Notice

[Details about specific actions taken to ensure appropriate parties have been notified about the rule proposed rule.]

Additional notice plan

The [AGENCY] intends to send an electronic notice with a hyperlink to electronic copies of the Notice, SONAR and the proposed rule amendments to:

| [List generic descriptions of classes of persons] |  |  |
| --- | --- | --- |
| [Names of stakeholder groups] | [addresses] | [additional information, if applicable] |

Under Minnesota Statutes, section 14.14, subdivision 1a, the[agency] believes its regular means of notice, including publication in the *State Register* and [other publications] will adequately provide notice of this rulemaking to persons interested in or regulated by these rules.[ [any additional justification available]

Performance-based rules

Minnesota Statutes, section 14.002, requires state agencies, whenever feasible, to develop rules that are not overly prescriptive and inflexible, and rules that emphasize achievement of the [agency’s] regulatory objectives while allowing maximum flexibility to regulated parties and to the [agency] in meeting those objectives.

[Text about performance-based rules]

Consideration of [other factors that your statutes require that you take into account] [Note to drafter: Delete this section if it does not apply to your rulemaking. Remember to delete this instruction.]

In exercising its powers, the [agency] is required by Minnesota Statutes, section 999.80, subdivision 9] and [other statutes?] to consider:

[Description of what the agency must consider.]

[text here]

[Description of how the agency is addressing the considerations.]

Consult with MMB on local government impact

As required by Minnesota Statutes, section 14.131, the [agency] will consult with Minnesota Management and Budget (MMB).

[Description of how the agency will consult with MMB.]

Impact on local government ordinances and rules

Minnesota Statutes, section 14.128, subdivision 1, requires an agency to make a determination of whether a proposed rule will require a local government to adopt or amend any ordinances or other regulation in order to comply with the rule. The [agency] has determined that the proposed amendments [will/will not] have any effect on local ordinances or regulations.

Costs of complying for small business or city

Minnesota Statutes, section 14.127, subdivisions 1 and 2, require an agency to “determine if the cost of complying with a proposed rule in the first year after the rule takes effect will exceed $25,000 for any one business that has less than 50 full-time employees, or any one statutory or home rule charter city that has less than ten full-time employees.”

[Description of cost of complying for a small business or city]

Differences with federal and other state standards

Minnesota Statutes, section 999.99, subdivision 2, requires that for proposed rules adopting [relevant standards], the SONAR must include an assessment of any differences between the proposed rule and existing federal standards adopted under the [relevant Act, title 99, section 9999(a)(1); and Named Acts, United States Code, title 99, sections 9999(a) and others]; similar standards in states bordering Minnesota; and similar standards in states within the US [Relevant Agency (ABC) Region 1; and a specific analysis of the need and reasonableness of each difference.

[Description of differences between Federal and State]

Authors, witnesses and SONAR exhibits

1. [Name, title, [] Division, Agency. [] is the [briefly describe expertise].
2. [Name, title, [] Division, Agency. [] is the [briefly describe expertise].

Witnesses and other staff

1. The agency expects that the proposed amendments will be noncontroversial. In the event that a hearing is necessary, the agency anticipates having the listed authors testify as witnesses in support of the need for and reasonableness of the rules.
2. [Name], [Agency]. [Name] is a staff attorney to the agency and will introduce the required jurisdictional documents into the record.
3. [Name], [Agency[. [Name] is the project rule coordinator and will testify on any Minnesota Administrative Procedures Act process questions.

SONAR exhibits

1. [List exhibits here]
2. [List 2 of exibits here]

Conclusion

In this SONAR, the agency has established the need for and the reasonableness of each of the proposed amendments to Minnesota Rules, chapters 9999 and [others]. The agency has provided the necessary notifice and in this SONAR documented its compliance with all applicable administrative rulemaking requirements of Minnesota statute and rules.

Based on the forgoing, the proposed amendments are both needed and reasonable.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Commissioner]

[Agency]

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date