

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of the Promulgation)	FINAL ORDER ADOPTING RULES
of Proposed Rules Regarding:)	
Fire Marshal, Organization of)	FILE NO. RU-23-867
Department, Accounting Practices and)	
Procedures, Regulation to Implement the)	
Small Employer Health Insurance)	
Availability Act, Surplus Lines Insurance,)	
Petroleum Tank Release Compensation)	
Fund, North Dakota Boiler Rules, Fire)	
Marshal)	

THIS MATTER regarding proposed changes to N.D. Admin. Code Titles 10 and 45 came before the North Dakota Insurance Commissioner for consideration. The Commissioner, having published notice, having held two public hearings, having received no testimony or comments, and having been otherwise fully advised in the premises, **FINDS AND CONCLUDES THAT:**

1. The North Dakota Insurance Department staff prepared a Regulatory Analysis, Small Entity Economic Impact Statement, Small Entity Regulatory Analysis, Takings Assessment Concerning Proposed Rules, and Fiscal Note Regarding Proposed Rules all dated July 24, 2023.
2. The Notice and Regulatory Analysis were made available to all interested persons.
3. An Abbreviated Notice of Intent to Amend Administrative Rules was properly published once in each official country newspaper at least 20 days prior to the date of the hearing.
4. Due to an error in publication, two public hearings were held, one on July 10, 2023 and the other on July 12, 2023, in Bismarck, North Dakota, to take comments on the proposed rules.

5. At the hearing, all interested persons were given a reasonable opportunity to submit relevant oral or written comments. The record was held open for additional written comments for at least ten days following the hearing.
6. No comments were received.
7. On October 17, 2023, the Attorney General approved the rules as to legality.

ORDER

IT IS, THEREFORE, ORDERED that the rules in the form attached to this Order be adopted and filed in accordance with applicable provisions of state law to become effective on January 1, 2024, subject to approval of the Administrative Rules Committee of the Legislative Council.

DATED this 20th day of October, 2023



Jon Godfread
Commissioner
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