STATE OF NORTH DAKOTA

BEFORE THE INSURANCE COMMISSIONER

In the Matter of the Promulgation of Proposed Rules Regarding: Licensing of Administrators, Insurance Continuing Education, Accounting Practices and Procedures, Custodial Agreement Requirements, Surplus Lines Insurance, Life and Health Insurance Guaranty Association, Boilers	)	**FINAL ORDER ADOPTING RULES** **FILE NO. RU-11-320**

THIS MATTER regarding proposed changes to N.D. Admin. Code Title 45 came before the North Dakota Insurance Commissioner for consideration. The Commissioner, having published notice, having held a public hearing, having considered the testimony and filed comments of all interested persons, and having been otherwise fully advised in the premises, **FINDS AND CONCLUDES THAT:**

1. A Notice of Intent to Amend Administrative Rules describing the proposed rule changes was prepared and filed on November 3, 2011. The North Dakota Insurance Department staff also prepared a Regulatory Analysis, Small Entity Economic Impact Statement, and Small Entity Regulatory Analysis, Takings Assessment Concerning Proposed Rules, and Fiscal Note Regarding Proposed Rules, all dated November 3, 2011.

2. The Notice and Regulatory Analyses were made available to all interested persons.

3. An Abbreviated Notice of Intent to Amend Administrative Rules was properly published once in each official county newspaper at least 20 days prior to the date of the hearing.

4. A hearing was held on January 10, 2012, 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 10 days after the hearing.

6. In promulgating the final version of the rules in the form attached to this Order, the Commissioner considered all comments made.

7. On February 29, 2012, the Attorney General approved the rules as to legality.

ORDER

IT IS, THEREFORE, ORDERED that the rules in the form attached to this Order, modified to include recommended changes, be adopted and filed in accordance with applicable provisions of state law to become effective on July 1, 2012, subject to the approval of the Administrative Rules Committee of the Legislative Council.

DATED this 1st day of March, 2012.

Adam Hamm
Commissioner
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