

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

LE REVIEW CHECKLIST

File No. 1404
DATE RECEIVED 9/23/87
REVIEW DATE 10/2/87
DUE DATE 10/7/87

APPROVED ✓ 10/2/87
DISAPPROVED
WITHDRAWN

Docket No. 05.0009.0119
ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED
REVISOR DISAPPROVED
FIELD W/SEC.STATE 10/05
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)
✓ Notice to Solicit Outside Information/Opinion
Date published in State Register
Comments
~~Petition for Adoption of a Rule~~
~~Board's Authorizing Resolution~~
✓ Proposed rule
yes Revisor's Certificate
✓ Notice of Intent to Adopt Rule
45.023 + 62H.06 Statutory Authority
yes Small Business Statement
no Expenditure of public money statement
✓ yes Signature
Statement of Need and Reasonableness
Yes Small Business Statement
no Fees - § 16A.128
✓ Affidavit of Mailing Notice of Intent to Adopt Rule
8/6/87 Date 30/25 days before adoption
✓ Publication in State Register
8/17/87 + 8/31/87 Date 30/25 days before adoption
~~Resolution Adopting~~
✓ Findings of Fact, Conclusions & Order Adopting
9/17/87 Date
~~Written requests, submissions or comments~~
✓ Declaration of attorney
Name of SAAG representing agency
~~Notice of Submission to Attorney General~~
✓ ~~Affidavit of Mailing Notice to Attorney General~~
Certificate

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : October 10, 1987

TO : RICHARD G. GOMSRUD
Commerce Department

FROM : JULIE A. LEPPINK

PHONE : 7-3493

SUBJECT : In the Matter of the Adopted Rules Relating to Joint Health and Disability Self-Insurance Plans

The above-referenced rule has been approved as to its legality by the Attorney General on October 2, 1987.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

JAL:nah

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Adminsitrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

Department of Commerce

Adopted Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

Rules as Adopted

2765.0900 MEMBERSHIP.

Subpart 1. **Availability.** Plan membership is available to employers domiciled and authorized to transact business in Minnesota. Plans may also cover nonresident employers if the portion of the plan covering Minnesota resident employees is treated as a separate plan. A plan may establish other nondiscriminatory criteria for membership. Nothing in this chapter requires a plan to offer membership to an employer that does not meet the plan's underwriting standards.

Subp. 2. to 6. [Unchanged.]

2765.1300 STOP-LOSS INSURANCE.

Subpart 1. **Purchase and alteration.** The plan must inform the commissioner at least 180 days prior to expiration of any required stop-loss insurance policy whether it intends to renew the policy, and whether the insurer is willing to renew the policy. Alteration of a required stop-loss insurance policy mid-term with the effect of reducing coverage, and cancellation by the plan mid-term, are prohibited. If more than one stop-loss insurance policy is obtained in fulfillment of this part's requirements, their expiration dates must be the same.

Subp. 2. and 3. [Unchanged.]

Subp. 4. [See Repealer.]

Subp. 5. and 6. [Unchanged.]

REPEALER. Minnesota Rules, part 2765.1300, subpart 4, is repealed.

Approved
by Revisor _____

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

OCT 5 – 1987

Joan Anderson Growe
Secretary of State

11:27 AM

APPROVED AS TO FORM AND LEGALITY
October 2 1987
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Julie A Jeppenki
SPECIAL ASSISTANT ATTORNEY GENERAL

DEPARTMENT OF COMMERCE

Notice to Solicit Outside Opinion Regarding Proposed Rules and Amendments to Rules Relating to Employee Joint Self-Insurance Including the Impact of the Rules on Small Business

Notice is hereby given that the Department of Commerce is seeking information or opinions from persons outside the agency in preparing to promulgate new rules and amendments to existing rules regarding employee joint self-insurance. Promulgation of these rules is authorized by Minnesota Statutes, Sections 62H.06 and 45.023.

Outside opinion is also being solicited as to how these rules will affect small businesses as defined by Minnesota Statutes § 14.115, subdivision 1.

The Department of Commerce requests information and opinions concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing to: Richard G. Gomsrud, Department of Commerce, 500 Metro Square Building, St. Paul, MN 55101. Oral statements will be received during regular business hours over the telephone at (612) 296-5689.

All statements of information and opinion shall be accepted until July 29, 1987. Any written material received by the Department of Commerce shall become part of the record in the event that the rules are adopted.

MICHAEL A. HATCH
Commissioner of Commerce

Department of Commerce

Proposed Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

Rules as Proposed

2765.0900 MEMBERSHIP.

Subpart 1. **Availability.** Plan membership is available ~~only~~ to employers domiciled and authorized to transact business in Minnesota. Plans may also cover nonresident employers if the portion of the plan covering Minnesota resident employees is treated as a separate plan. A plan may establish other nondiscriminatory criteria for membership. Nothing in this chapter requires a plan to offer membership to an employer that does not meet the plan's underwriting standards.

Subp. 2. to 6. [Unchanged.]

2765.1300 STOP-LOSS INSURANCE.

Subpart 1. **Purchase and alteration.** The plan must inform the commissioner at least ~~90~~ 180 days prior to expiration of any required stop-loss insurance policy whether it intends to renew the policy, and whether the insurer is willing to renew the policy. Alteration of a required stop-loss insurance policy mid-term with the effect of reducing coverage, and cancellation by the plan mid-term, are prohibited. ~~Required stop-loss insurance policies must be noncancelable for a minimum of two years, for any cause including nonpayment of premium.~~ If more than one stop-loss insurance policy is obtained in fulfillment of this part's requirements, their expiration dates must be the same.

Subp. 2. and 3. [Unchanged.]

Subp. 4. [See Repealer.]

Subp. 5. and 6. [Unchanged.]

REPEALER. Minnesota Rules, part 2765.1300, subpart 4, is repealed.

Approved by Revisor

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

AGENCY: Department of Commerce

MINNESOTA RULES: Chapter 2765

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

State of Minnesota
Department of Commerce

In the Matter of the Proposed Adoption of Rules Relating to Employee Joint Self-Insurance

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in Minnesota Statutes, section 14.22-14.28. Authority for the adoption of these rules is contained in Minnesota Statutes, Sections 45.023 and 62H.06.

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to Minnesota Statutes, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifying the data and information relied upon to support the proposed rules has been prepared and is available upon request from Richard Gomsrud.

Pursuant to Minnesota Statutes Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonablenss, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

A copy of the proposed rules is attached to this Notice. Copies of this Notice and proposed rules are available and may be obtained by contacting Richard G. Gomsrud at the above address.

Michael A. Hatch
Commissioner of Commerce

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter of the Rules Regarding Joint Health and Disability Self-Insurance Plans

STATEMENT OF NEED AND REASONABLENESS

Minnesota Statutes, section 62H.01 was amended by Chapter 337, of the 1987 Session Laws. Because of this amendment part 2565.0900 subpart 1 was required a amendment. The statutory amendments specifically allow non resident employers to participate in the self-insurance plan if the portion of the plan covering Minnesota resident employees was treated as a separate plan and the plan complied with the laws of the state of the non Minnesota employees resident. This was not permitted by the rule and accordingly the rule required amendments to conform to the statute.

Minnesota Rules, part 2765.1300 previously had required a 90 day notice of termination by the plan. Minnesota Statutes 62H.02 was amended to require a 180 day notice of termination or nonrenewal of the stop loss insurance. In addition the requirement that stop loss insurance must be noncancellable for a minimum period of two years was removed from the statute. As a result of the statutory changes Rule 2765.1300 was a required amendment to incorporate these changes. Because Subpart 4 was in contradiction with the statutory change it was required to be repealed.

Minnesota Statutes Section 62H.01 provides rulemaking authority to the commissioner to adopt rules for joint health and disability self-insurance plans. In addition Minnesota Statutes, section 45.03 provides the commissioner with the authority to adopt rules where necessary for the proper discharge of the commissioners duties.

These amendments are necessary to conform the rules to the statute as amended by the 1987 Legislature. The changes made are only for the purposes of conformity. No other changes are being made.

Small Business Consideration

Minnesota Statutes, section 14.115 requires that certain considerations be made in regard to the rulemaking process as to the effect of the rules upon small businesses and any mitigating factors that may be applied to the application of these rules in regard to small business. In the present instance although the department has little choice but to conform to the rules in the exact manner as the statute indicates, the department did consider the impact of the rules on small business as charged by section 14.115.

As is the case with most rules governing the conduct of insurance companies, the intent is to benefit the policyholder. Every insurer, no matter if they qualify as a small business or not, must be subject to the same requirements or the group intended to be protected, the policyholders, would find that they have less rights if they deal with an insurer that qualfies as a small business then if they are dealing with a company that did not. While this may result in a lesser burden upon insurers that qualify as small businesses, it would defeat the purpose of protection of the policyholder. It might also have a negative effect upon insurance companies that qualify as small businesses in that their policyholders would perceive that they have less protection than if they purchase their insurance from a non small business insurance company. The result of reducing the requirements would be loss of business rather than a reduction in regulatory burden for insurers that are small business.

In promulgating these rules all of the considerations required by Minnesota Statute section 14.115 were addressed. In regard to the considerations required by subpart 2, item A, the establishment of less stringent compliance on reporting requirements for small businesses, since the only compliance is with the statutory mandate it would be beyond the department's authority to reduce the requirement that the statute imposes. As there are no reporting requirements there would be no need for reduction in the same.

As to item B of subpart 2, since there are no schedules or deadlines for compliance or reporting this particular provision would not be applicable to this set of rules.

As to item C, consolidation or simplification of compliance requirements would not be feasible given the nature of the particular rule and the change in statutory requirements. As there are no reporting requirements that provision would not be applicable.

Item D would not be applicable given the nature of this particular rule.

Item E would not be appropriate for the reasons cited above in that it would take away the protection to policyholders that the statute intended to give them. In addition the department does not believe it has the authority to make such an exemption. The small businesses that are probably most affected by these rules are not insurers but rather the small businesses that will not gain some protection and rights that they did not have before. To give any insurance company an exemption from the rules would be to reduce the rights of the small businesses that are policyholders. The department concluded that the inteht of the statute was the protection of policyholders, small business or not and therefore all insurers, be they small or large must meet the same standards to insure equal protection to all of their

policyholders.

Because of the nature of the amendments of the rules, namely to conform to the statutory mandate, no participation by small businesses was involved.

In the Matter of the Proposed Rules
Relating to Workers' Compensation
Self-Insurance

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT OF
MAILING

Jane Schaub, being first duly sworn, deposes and says:

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subd. 1a, that their names be placed on file with and maintained by the Department of Commerce for the purpose of receiving notice of the proposed adoption of rules is accurate and complete as of 12:00 P.M., this 6th day of August 1987.

That on the 6th day of August 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, the attached Notice of Intent to Adopt Rules Without a Public Hearing was served by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy properly prepared with first-class postage prepaid, on all persons and associations who have requested that their names be placed on file with the Minnesota Department of Commerce for the purpose of receiving notice of the proposed adoption of rules by the department.

Jane Schaub

Jane Schaub

Subscribed and sworn to before me
this 23rd day of September 1987.

Cynthia L. Claason

Notary Public

CYNTHIA L. CLAASON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES FEBRUARY 11, 1992

In the Matter of the Proposed Rules
Regarding Joint Self-Insurance Plans

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT OF
MAILING

Jane Schaub, being first duly sworn, deposes and says:

That on the 6th day of August 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, the attached Notice of Hearing was served by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy properly prepared with first-class postage prepaid, on all persons and associations who have requested that their names be placed on file with the Minnesota Department of Commerce for the purpose of receiving notice of the proposed adoption of rules by the department.

Jane Schaub

Subscribed and sworn to before me
this 6th day of August 1987.

Notary Public

CYNTHIA L. CLAASON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES FEBRUARY 11, 1992

State of Minnesota
Department of Commerce

In the Matter of the Proposed Adoption of Rules Relating to Joint Self-Insurance Plans

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in Minnesota Statutes, section 14.22-14.28. Authority for the adoption of these rules is contained in Minnesota Statutes, Sections 45.023 and 60F.06.

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to Minnesota Statutes, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifying the data and information relied upon to support the proposed rules has been prepared and is available upon request from Richard Gomsrud.

Pursuant to Minnesota Statutes Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonablenss, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

A copy of the proposed rules is attached to this Notice. Copies of this Notice and proposed rules are available and may be obtained by contacting Richard G. Gomsrud at the above address.

Michael A. Hatch
Commissioner of Commerce

Department of Commerce

Proposed Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

Rules as Proposed

2765.0900 MEMBERSHIP.

Subpart 1. **Availability.** Plan membership is available ~~only~~ to employers domiciled and authorized to transact business in Minnesota. Plans may also cover nonresident employers if the portion of the plan covering Minnesota resident employees is treated as a separate plan. A plan may establish other nondiscriminatory criteria for membership. Nothing in this chapter requires a plan to offer membership to an employer that does not meet the plan's underwriting standards.

Subp. 2. to 6. [Unchanged.]

2765.1300 STOP-LOSS INSURANCE.

Subpart 1. **Purchase and alteration.** The plan must inform the commissioner at least ~~90~~ 180 days prior to expiration of any required stop-loss insurance policy whether it intends to renew the policy, and whether the insurer is willing to renew the policy. Alteration of a required stop-loss insurance policy mid-term with the effect of reducing coverage, and cancellation by the plan mid-term, are prohibited. ~~Required stop-loss insurance policies must be noncancelable for a minimum of two years, for any cause including nonpayment of premium.~~ If more than one stop-loss insurance policy is obtained in fulfillment of this part's requirements, their expiration dates must be the same.

Subp. 2. and 3. [Unchanged.]

Subp. 4. [See Repealer.]

Subp. 5. and 6. [Unchanged.]

REPEALER. Minnesota Rules, part 2765.1300, subpart 4, is repealed.

State of Minnesota

STATE REGISTER

Department of Administration—Documents Division



Published every Monday

31 August 1987

Volume 12, Number 9

Pages 353-392

Contents

Minnesota Rules: Amendments & Additions

Issues 1-9 inclusive 356

Proposed Rules

Education Department
Cooperative secondary facilities grants 358

Public Safety Department
Liquor labeling requirements 363

Commerce Department
Correction to proposed rule on joint health and disability self-insurance plans 365

Adopted Rules

Natural Resources Department
Kettle River Wild and Scenic River Resources 365

Pollution Control Agency
Low-level radioactive waste generator fees 365

Official Notices

Clearwater County Ninth Judicial District
Filing fees for district law library 366

Commerce Department
Activation of the Minnesota Joint Underwriting Association to insure specified classes of business and public hearing 366

Health Department
Opinion sought for rules on licensing of asbestos abatement contractors and certification of asbestos abatement workers 368

Human Services Department
Prior authorization of medical assistance services 368
Request for information about computer software related to the operation of the state regional centers and nursing homes 368

Public Utilities Commission
Opinion sought for rules on certificates of need for power plants and transmission lines 369

Vocational Technical Education Board
Opinion sought for rules on licensure of postsecondary and adult vocational technical education personnel 370

State Contracts

Administration Department
Contracts & Requisitions open for bid 371
Request for proposal for needs assessment and analysis on the feasibility of establishing a privately run child care center in the Capitol complex and or Lafayette Park areas 371

Agriculture Department
Request for proposals to coordinate focus group meetings on farm energy use 373

Capitol Area Architectural and Planning Board
Competition announcement for design of a State Office Building parking ramp 373

State Designer Selection Board
Request for proposal for a project for the Iron Range Resources & Rehabilitation Board 374

Employee Relations Department
Request for proposal for statewide public employees group insurance programs 376

Minnesota Historical Society
Advertisement for bids for printing of the 1987-88 *ROOTS* Magazine 378

Human Services Department
Request for medical services at St. Peter Regional Treatment Center 378

Jobs & Training Department
Request for proposals for operation of job training programs for older individuals 379
Request for proposals to develop agency handbook 379
Solicitation of proposals for rehabilitation professional to audit functional assessments of disabled employees of Minnesota Sheltered Workshops 379

Public Service Department
Request for proposal for consultants to ensure quality telephone service at reasonable rates 380

Waste Management Board
Request for proposal to provide professional assistance to develop procedures and strategies for contract negotiations related to the siting of a hazardous waste management facility 381

Non-State Public Contracts

Metropolitan Transit Commission (MTC)
Request for proposals for management of transit system 384

Regional Transit Board
Request for proposals for qualified consultant to develop standard driver training manual and curriculum for use by Metro Mobility service providers 385

Metropolitan Council, Metropolitan Waste Control Commission, Regional Transit Board
Request for telecommunication consultant services 385

Supreme Court Decisions

Decisions filed Friday 28 August 1987 387

Announcements 387

Commerce Department

Correction to Proposed Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

The Notice of Intent to Adopt Rules Without a Public Hearing that appeared Monday 17 August 1987 in the *STATE REGISTER* vol. 12 #7 incorrectly cited *Minnesota Statutes*, Section 60E.06 on the bottom of page 270. The correct citation should be 62H.06.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Natural Resources

Adopted Permanent Rules Relating to the Kettle River Wild and Scenic River Designation

The rules proposed and published at *State Register*, Volume 11, Number 48, pages 2196-2198, June 1, 1987 (11 S.R. 2196) are adopted as proposed.

Pollution Control Agency

Adopted Permanent Rules Relating to Low-Level Radioactive Waste Generator Fees

The rule proposed and published at *State Register*, Volume 11, Number 46, pages 2106-2107, May 18, 1987 (11 S.R. 2106) is adopted as proposed.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

State of Minnesota

STATE REGISTER

Department of Administration—Documents Division



Published every Monday

17 August 1987

Volume 12, Number 7

Pages 265-320

Contents

Minnesota Rules: Amendments & Additions

Issues 1-7 inclusive 268

Proposed Rules

Commerce Department

Auto nonrenewals 269
Joint health and disability self-insurance plans 270
Withdrawal of proposed rules on medical malpractice insurance (home health care aides) 272
Plan administrators 272
Worker's compensation self-insurance 275

Dentistry Board

Certain fees 276

Labor & Industry Department

Occupations and professions; fees 279

Adopted Rules

Agricultural Society—Minnesota State Fair

Operation and management of the Minnesota State Fair and Minnesota State Fairgrounds 283

Commerce Department

Insurance continuing education 283

Emergency Rules

Higher Education Coordinating Board

Education grants; dislocated rural workers 288

Official Notices

Agriculture Department

Special local need registration for:
Diquat herbicide H A on potato vines 290
Diquat herbicide H A on birdsfoot trefoil 291
Opinion sought for rules on chemigation 291
Opinion sought for rules on pesticide bulk storage 292

Commerce Department

Opinion sought on rules for interstate banking including the impact of the rules on small business 292
Opinion sought on rules for reciprocal interstate branching by saving and loans associations including the impact of the rules on small business 293

Commissioner of Commerce

Hearing on workers' compensation assigned risk plan rates for certain classes 293

Council on Disability

Semi-monthly meeting schedule 294

Health Department

Opinion sought for rules on licensure of laboratories for drug and alcohol testing in the workplace 294
Public forum on naturopathic physicians and contact lens technicians and opticians 294

Minnesota Historical Society

State review board regular meeting 295

Housing Finance Agency

Applications accepted for the federal low income housing tax credit program 295

Human Services Department

Comments and requests for hearings on rules for veterans home discharge provisions and fees 296

Metropolitan Council

Preliminary review schedule for revision to the water resources management policy plan 297

Pollution Control Agency

Opinion sought on rules for award of state and federal grants and loans for municipal wastewater treatment facilities 297

Public Safety Department

Meeting notice for a pipeline safety statewide notification center 298

State Retirement System

Board of directors meeting 298

Transportation Department

Nicollet County petitions for variance from state aid standards for roadway design criteria 298

Public Utilities Commission

Opinion sought for rules on telephone and utility customer service 299

State Contracts & Advertised Bids

Administration Department

Contracts & requisitions open for bid 300
Request for proposals for rental of office space 301

State Designer Selection Board

Request for proposals for three projects 301

Governor's Drug-Free Communities Program

Request for proposals for evaluation of alcohol drug abuse prevention programs 304

Office of Tourism

Request for graphic design services 304
Request for art direction and design services for rotogravure magazine insert 305

Vocational Technical Education Board

Withdrawal of request for proposal on sex equity programs 305

Non-State Public Contracts

Dakota County

Request for proposals to carry out a community-wide sectoral planning process 305

Supreme Court Calendar

Cases scheduled during September 1987 306

Supreme Court Decisions

Decisions filed Friday 14 August 1987 308

Tax Court

Regular Division: Docket Nos. 4662, 4802, 4846 310

Announcements 312

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to *Minnesota Statutes*, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifying the data and information relied upon to support the proposed rules has been prepared and is available upon request from Richard Gomsrud.

Pursuant to *Minnesota Statutes* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

A copy of the proposed rules is attached to this Notice. Copies of this Notice and proposed rules are available and may be obtained by contacting Richard G. Gomsrud at the above address.

Michael A. Hatch
Commissioner of Commerce

Rules as Proposed

2770.8000 POINTS FOR NONRENEWAL.

Subpart 1. [Unchanged.]

Subp. 2. **Exceptions.** If one operator accumulates three points or more, a policy or policies may be nonrenewed regardless of the number of insured vehicles in the household. If at the time the nonrenewal was sent, a ~~nonspouse~~ household member owns an automobile and a policy of his or her own, then that household member's driving record cannot be used to determine a basis for nonrenewal of policies of other household members~~, except for violations in the four-point category~~.

Accidents or violations occurring while operating a commercial vehicle or an emergency vehicle cannot be used to accumulate points for nonrenewing a private passenger vehicle policy, except for violations in the four-point category.

Department of Commerce

Proposed Permanent Rules Relating to Joint Health and Disability Self-Insurance Plans

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes*, section 14.22-14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, Sections 45.023 and 60E.06.

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to *Minnesota Statutes*, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifying the data and information relied upon to support the proposed rules has been prepared and is available upon request from Richard Gomsrud.

Pursuant to *Minnesota Statutes* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

A copy of the proposed rules is attached to this Notice. Copies of this Notice and proposed rules are available and may be obtained by contacting Richard G. Gomsrud at the above address.

Michael A. Hatch
Commissioner of Commerce

Rules as Proposed

2765.0900 MEMBERSHIP.

Subpart 1. **Availability.** Plan membership is available ~~only~~ to employers domiciled and authorized to transact business in Minnesota. Plans may also cover nonresident employers if the portion of the plan covering Minnesota resident employees is treated as a separate plan. A plan may establish other nondiscriminatory criteria for membership. Nothing in this chapter requires a plan to offer membership to an employer that does not meet the plan's underwriting standards.

Subp. 2. to 6. [Unchanged.]

2765.1300 STOP-LOSS INSURANCE.

Subpart 1. **Purchase and alteration.** The plan must inform the commissioner at least ~~90~~ 180 days prior to expiration of any required stop-loss insurance policy whether it intends to renew the policy, and whether the insurer is willing to renew the policy. Alteration of a required stop-loss insurance policy mid-term with the effect of reducing coverage, and cancellation by the plan mid-term, are prohibited. ~~Required stop-loss insurance policies must be noncancelable for a minimum of two years, for any cause including nonpayment of premium.~~ If more than one stop-loss insurance policy is obtained in fulfillment of this part's requirements, their expiration dates must be the same.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Subp. 2. and 3. [Unchanged.]

Subp. 4. [See Repealer.]

Subp. 5. and 6. [Unchanged.]

REPEALER. *Minnesota Rules*, part 2765.1300, subpart 4, is repealed.

Department of Commerce

Notice of Withdrawal of Proposed Rules Relating to Medical Malpractice Insurance (Home Health Care Aides)

Notice is hereby given that the Department of Commerce withdraws the rules pertaining to Medical Malpractice Insurance (Home Health Care Aides) that were previously published in the *State Register* on July 14, 1986 at pages 29-30 (11 S.R. 29-30).

Michael A. Hatch
Commissioner of Commerce

Department of Commerce

Proposed Permanent Rules Relating to Plan Administrators

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes*, Sections 45.023 and 60A.23, subd. 8.

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to *Minnesota Statutes*, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Richard G. Gomsrud
Department Counsel
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-5689.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifying the data and information relied upon to support the proposed rules has been prepared and is available upon request from Richard Gomsrud.

Pursuant to *Minnesota Statutes* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Richard G. Gomsrud, Department Counsel, Department of Commerce, 500 Metro Square Bldg., St. Paul, MN 55101.

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter of the Proposed Adoption of Rules Relating to Employee Joint Self-Insurance

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING RULE WITHOUT A PUBLIC HEARING

Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on August 17, 1987 and was sent by United States mail to all persons on the list maintained by the department pursuant to Minnesota Statutes, section 14.14, subdivision 1a and 14.22 on August 6, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the department.

Based on the comments and evidence in the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as Employee Joint Self-Insurance is adopted this 18th day of September, 1987, pursuant to authority vested in me by Minnesota Statutes, sections 45.023 and 62H.06.

MICHAEL A. HATCH
Commissioner of Commerce

Dated this 18th day of September 1987.

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter of the Proposed Adoption of Plan Administrator Rules

DECLARATION OF ATTORNEY GENERAL

I, LOUIS HOFFMAN, Special Assistant Attorney General, do hereby declare that I have examined the rules and all related documents and that, I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 0120.

Louis Hoffman
Special Assistant Attorney General

Dated: September 24, 1987

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Rules
Regarding Joint Self-Insurance Plans

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subd. 1a, that their names be placed on file with and maintained by the Department of Commerce for the purpose of receiving notice of the proposed adoption of rules is accurate and complete as of 12:00 P.M., this 6th day of August 1987.

Jane Schaub

Linda L. Lanam, V.P. & Chief Coun.
Union Fidelity Life Insurance Co.
4850 Street Road
Trevose, PA 19049

Cheryl Chatin
United Hospital Business Office
239 W. 7th St.
St. Paul, MN 55102

Jerome Scheibl, Vice President
Wausau Insurance Group
2000 Westwood Dr.
Wausau, WI 54401

John A. Knapp, Esq.
Winthrop & Weinstine
1800 Conwed Tower, 444 Cedar
Saint Paul, MN 55101

Workers Comp. Reinsurance Assoc.
900 Minnesota Mutual Life Center
400 North Robert Street
St. Paul, MN 55101-2092



Gerald G. Dederick, P.A.

6800 France Ave. S., #750
Edina, MN 55435

Conrad M. Fredin
Harper, Eaton, Peterson & Orman
515 Providence Bldg., 332 W. Superior
Duluth, MN 55802

Susan J. Ladwig
North Star Policy Associates
114 Metro Square Bldg. 7 & Robert St.
St. Paul, MN 55101

Ron Marien
Household International
5148 W. 95th Street
Bloomington, MN 55437

Randy Nornes

13920 Echo Park Lane #9
Burnsville, MN 55337

Archibald Spencer
Best and Flanagan
3500 IDS Center
Minneapolis, MN 55402-2213

Regulation Analyst
Alliance of America[redacted]nsurers
1501 Woodfield Rd., Suite 400 West
Schaumburg, IL 60173-4980

Mr. Robert J. Demichelis
American Council of Life Insurance
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2599

Frederick P. McGarvey
American Insurance Association
230 W. Monroe St.
Chicago, IL 60606

Morris J. Anderson, Exec. Dir.
Association of Minnesota Counties
555 Park Street, Suite 300
St. Paul, MN 55103

R. G. Lanham, Dir. of Research
Carleton Financial Computations
P.O. Box 570
South Bend, IN 46624-0570

Glen Tullman
Certified Collateral Corporation
640 N. LaSalle, Suite 640
Chicago, IL 60610

Barbara Weisenbach
Continental American Life Ins Company
P.O. Box 15750
Wilmington, Delaware 19850

Courey, Schwinn & Kodadek
400 Marquette Ave. Suite 300
Minneapolis, MN 55401

Norman E. Nelson
Manager, Govt. Affairs Dept.
Crum & Forster Corporation
305 Madison Avenue CN 1932
Morristown, NJ 07960

Karen Koast
Dean Witter Reynolds, Inc.
Compliance Dept.
5 World Trade Center, 4th Floor
New York, NY 10048

C. Warren Coulter, Asst. Dir.
Cooper Communities
P.O. Box 569
Bentonville, AR 72712-9989

Jeffrey A. Redmon
Doherty, Rumble & Butler, PA
E-1500 First Nat'l Bank Bldg.
St. Paul, MN 55101

Domini[redacted]. Sposeto
Domini[redacted]oseto & Associates
2824 Irving Avenue S.
Minneapolis, MN 55408

Robert Alch
Equity Adjustment Co.
236 West Larpenteur Avenue
St. Paul, MN 55113

Robert Cameron
Finley, Kumble, Wagner, Heine
Underberg, Manley, Myerson & Casey
425 Park Avenue
New York, NY 10022

Fireman's Fund Emp. Ins. Co.
Contracts Department
Green Bay, WI 54344

Joyce Bulleri
Frank B. Hall & Co. of CA
1550 W. Fremont, P.O. Box C
Stockton, California 95201-3003

Harold J. Soderberg
Hessian, McKasy & Soderberg
4700 IDS Center
Minneapolis, MN 55402

Peggy Jacobs
IDS Financial Serv., Inc. - Unit 53
IDS Tower
Minneapolis, MN 55474

Independent Bankers of Minn.
7850 Metro Pkway., Suite 211
Bloomington, MN 55420

Rudy D. Broyles, CPCU
Insurance Services Office, Inc.
Suite 325-A 1919 S. Highland Ave.
Lombard, IL 60148

Jerrold T. Miller
J. T. Miller Company
1000 Currie Avenue
Minneapolis, MN 55403

John B. La Macchia & Associates
Actuaries Management Consultants
12 North Central Avenue
St. Louis, MO 63105

Maryanne Hruby, Exec. Director
LCRAR
Rm. 55, State Office Building
St. Paul, MN 55155

Mark A. Welshons, Secretary
NWNL Reinsurance Company
P.O. Box 20
Minneapolis, MN 55440

Sam Ruhle
Office of Administrative Hearings
400 Summit Bank Building
Minneapolis, MN 55415

R. Mark Lawrence, Contract Specialist
Ohio State Life Insurance Company
2500 Farmers Drive
Columbus, OH 43085

Lois A. Hout, Asst Gen'l Coun & VP
Orion Group - Law Division
9 Farm Springs Dr.
Farmington, CT 06032

Pennsylvania Life Insurance Company
Compliance Dept. Mail Code 1-5
3130 Wilshire Blvd.
Santa Monica, CA 90406

Peter S. Popovich
Minnesota Court of Appeals
1300 Amhoist Tower
St. Paul, MN 55102

Phillips Legislative Service, Inc.
459 Rice Street
St. Paul, MN 55103
Mr/Ms:

Bruce A. Poulsen, V.P. & Counsel
Prudential Insurance Co. of America
8th Fl., P.O. Box 1143
Minneapolis, MN 55440

James M. Shamberger, Vice President
Reinsurance Association of America
1819 L St. NW, 7th Floor
Washington, D.C. 20036

John P. Flaten
Rider, Bennett, Egan & Arundel
2500 First Bank Pl. W.
Minneapolis, MN 55402

Ford M. Robbins
Robbins & Rashke
5200 Willson Road, Suite 407
Minneapolis, MN 55424

Robert R. Abrohams Agency, Inc.
1112 Plymouth Bldg.
Minneapolis, MN 55402-1540

Bernard Rosenberg
Robins, Zelle, Larson & Kaplan
1800 International Centre
900 South Second Avenue South
Minneapolis, MN 55402

Gerard J. Quinn, Asst. Gen'l Coun.
Securities Industry Association
120 Broadway
New York, NY 10271

Ted Burton
Longman Financial Srv Institue
9201 Bloomington Frwy E
Minneapolis, MN 55420-3409

Cezar M. Froelich, Esq.
Shefsky, Saitlin & Froelich, Ltd.
444 N. Michigan Ave., Suite 2300
Chicago, IL 60611

Phillip D. Lehmkuhl
Squire, Sanders & Dempsey
155 East Broad Street
Columbus, OH 43215

David A. Peterson
State Bond & Mortgage Company
100-106 North Minnesota Street
New Ulm, MN 56073

Charles F. Happach, President
State Capitol Credit Union
95 Sherburne
St. Paul, MN 55103

Arnie Anderson
State Planning Agency
101 Capitol Square Building
St. Paul, MN 55101

Mary Stanton, Staff Assoc./Fin.
State University System
555 Park St., Suite 230
St. Paul, MN 55103

W. J. Hay
St. Paul Companies, Inc.
385 Washington Street
St. Paul, MN 55102

Karen Langland Himle
St. Paul Fire & Marine Ins. Co.
385 Washington St.
St. Paul, MN 55102

Paul Dwyer, Gen'l Counsel's Office
Title Insurance Company of MN
400 Second Avenue South
Minneapolis, MN 55401

John R. Houston, Esq.
Lindquist & Vennum
4200 IDS Center
Minneapolis, MN 55402

Kathleen M. Kellerman
Mairs and Power, Inc.
W-2062 First National Bank Bldg.
St. Paul, MN 55101

Mr. Ronald R. Radtke, Mgr., Comp. Svcs.
Metropolitan Prop. & Liability Ins. Co.
700 Quaker Lane, P.O. Box 350
Warwick, RI 02887

Gary K. Thaden
MN Asbestos Abatement Contract Assn
766 Transfer Road
St. Paul, MN 55114

John S. Jackson, Gen. Counsel
Minnesota Bankers Association
332 Baker Building
Minneapolis, MN 55402

Minnesota Insurance Guaranty Association
4640 West 77th Street Suite 342
Edina, MN 55435

Tom Halder
Minnesota League of Credit Unions
575 University Ave.
St. Paul, MN 55103

MN Truckers Association
1821 University Ave., Room 134N
St. Paul, MN 55104

Jean Dawson
Minn. Government Report
B-12 Press Room, State Capitol
St. Paul, MN 55155

Joan M. Archer
Minn. Mfg. Housing Assoc.
222 E. Little Canada Rd., S222
St. Paul, MN 55117

John G. Horner
Minnesota Multi Housing Assn.
4740 Park Glen Road
Minneapolis, MN 55416

Minn. Petroleum Council
386 N. Wabasha, Suite 1025
St. Paul, MN 55102

Francis M. Fitzgerald II
Minn. Retail Merchants Assoc.
180 Metro Square Bldg.
St. Paul, MN 55101

Minn. School of Real Est. Inc.
9944 West 74th St.
Eden Prairie, MN 55344

Mary Miranowski
Builders Assoc. of MN
1410 Energy Park Dr. Suite 6
St. Paul, MN 55108

Abe Rosenthal, Pres.
Minn. Transport Services Assn.
1821 University Ave. (Suite N310)
St. Paul, MN 55104

Michael J. Ahern
Moss & Barnett
1200 Pillsbury Center
Minneapolis, MN 55402

John F. Stone
Moss & Barnett
1200 Pillsbury Center
Minneapolis, MN 55402

Robert L. Zeman, Asst. Couns.
Natl. Assoc. of Ind. Insurers
2600 River Road
Des Plaines, IL 60018-3286

William R. Anderson, Counsel
Natl. Assoc. of Life Underwriters
1922 F Street, NW
Washington, D.C. 20006-4387

Richard Bouhan, Gov't. Relations Dir.
Natl. Assoc. of Prof. Surplus Lines Off.
P.O. Box 1507
Roswell, GA 30077

Lee T. Peterson
Nelson, Nelson, Kufus & Peterson
665 N. Snelling Ave.
St. Paul, MN 55104

NIARS Corporation
Three Eighteen West Franklin
Minneapolis, MN 55404

Charles B. Jenkins
Commercial Union Ins. Companies
Legal Svcs Dept. B17-12, 1 Beacon St.
Boston, MA 02108

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : of Commerce

DATE : September 23, 1987

TO : Martha Casserly

FROM : Richard G. Gomsrud

PHONE : 296-5689

SUBJECT : Employee Joint Self-Insurance Rules

Enclosed are copies of the following materials regarding the above captioned rules:

1. Notice of Intent to Solicit Outside Opinion (2010.0300 A)
2. Copy of the Proposed Rules with Revisor's Certificate (2010.0300 D)
3. Notice of Intent to Adopt Rule Without Public Hearing (2010.0300 E)
4. Statement of Need and Reasonableness (2010.0300 F)
5. Affidavit of Mailing Notice of Intent to Adopt Rule Without Public Hearing (2010.0300 G)
6. Copy of Notice of Intent to Adopt Rule Without Public Hearing and Rules as published in the State Register (2010.0300 H)
7. Four copies of Rule as adopted (2010.0300 I)
8. Findings of Fact, Conclusions & Order Adopting Rule (2010.0300 K)
9. Written Comments, Submission & Requests on Rule (2010.0300 L)
10. Declaration of Attorney General (2010.0300 M)
11. ~~Notice of Submission to Attorney General~~ (2010.0300 N)
12. ~~Affidavit of Mailing Notice of Submission to Attorney General~~ (2010.0300 O)

RECEIVED
ATTORNEY GENERAL'S OFFICE
SEP 23 1987
204 ADMINISTRATION BLDG.
50 SHERBURNE AVENUE
ST. PAUL, MN 55155

Declaration of Atty

Called - will be coming ✓

Notice to Solicit

Was published - will call back with date. ~ 6/22/87 verified - JA 2

Rule

See Proposed. Not All new material

Authority

45.023 ok. /