

## Proposed Rules

C. The full evidentiary hearing shall be held at a time and place convenient and accessible to the operator licensed blind vendor requesting a fair full evidentiary hearing. A full evidentiary hearing held during regular state licensing agency working hours and located at the state licensing agency central office will must be deemed among the convenient times and places. Upon receipt of the request, the state licensing agency shall immediately request a hearing date from the state Office of Administrative Hearings, whose designee shall serve as an impartial presiding officer the administrative law judge, and then notify the operator licensed blind vendor of the time and place for the full evidentiary hearing. The operator licensed blind vendor must be provided sufficient preparation time before the full evidentiary hearing. The operator licensed blind vendor shall be provided a copy of the hearing procedures and rules.

D. The operator licensed blind vendor has the right to be represented by counsel, and may present witnesses and cross-examine adverse witnesses.

E. A transcript of the proceeding must be available to the operator licensed blind vendor.

F. After receipt of the report of the administrative law judge, the director of the state licensing agency shall issue a final written decision within 15 calendar days.

Subp. 4. Arbitration panel. If an operator the licensed blind vendor is dissatisfied with the decision rendered after a full evidentiary hearing, the operator licensed blind vendor may request that an arbitration panel be convened by filing a complaint with the secretary of the Department of Education, as authorized by federal regulations at Code of Federal Regulations, title 34, section 395.13 (1981).

### 3321.1300 ACCESS TO PROGRAM AND FINANCIAL INFORMATION.

Each operator licensed blind vendor shall be provided access to all program and financial data of the state licensing agency relevant to the operation of the vending stand business enterprises program, including quarterly and annual financial reports, provided that the disclosure does not violate applicable federal or state laws pertaining to the disclosure of confidential information. Insofar as is practicable, the data shall be made available in braille or recorded tape, audio, or electronic format. At the request of an operator a licensed blind vendor, the state licensing agency will must arrange a convenient time to assist in the interpretation of the data. The operator management committee organized under part 3321.1100 shall be provided all individual and program data necessary to carry out its purpose and function.

REPEALER. Minnesota Rules, parts 3321.0700, subpart 2; 3321.0900, subpart 2; and 3321.1400, are repealed.

## Minnesota Pollution Control Agency Adopted Exempt Permanent Rule Relating to Local Standards for Subsurface Sewage Treatment Systems

### 7082.0050 GENERAL REQUIREMENTS FOR LOCAL ORDINANCES.

[For text of subps 1 to 4, see M.R.]

Subp. 5. Requirements for alternative local standards. Counties are authorized to adopt and enforce by ordinance alternative local standards for existing or new construction or replacement of SSTS as part of a conventional program. The alternative local standards must protect public health and the environment as stipulated in Minnesota Statutes, section 115.55, subdivision 7, paragraphs (a) and (b), and must comply with items A to F-H.

A. Except as provided in items G and H, alternative local standards must not apply to systems in shoreland areas or wellhead protection areas or systems serving food, beverage, or lodging establishments.

[For text of items B to F, see M.R.]

G. A county may adopt alternative local standards for new or replacement residential systems with flow of 2,500 gallons per day or less for systems in shoreland areas regulated under Minnesota Statutes, sections 103F.201 to 103F.221, if the alternative standards

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are no less stringent than provisions of chapter 7080 that went into effect on April 3, 2006.

H. A county may adopt alternative local standards for new or replacement residential systems with flow of 2,500 gallons per day or less for systems used in connection with food, beverage, and lodging establishments regulated under Minnesota Statutes, chapter 157, if the alternative standards are no less stringent than provisions of chapter 7080 that went into effect on April 3, 2006, except that the waste strength must meet the standards established in part 7080.2150, subpart 3, item K. If additional treatment of waste is needed to meet the standard in part 7080.2150, subpart 3, item K, the treatment must be in accordance with part 7080.2150, subpart 3, item A.

### Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

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### Minnesota Department of Commerce

#### Request for Comments on Possible Amendment to Rules Governing the Valuation of Life Insurance, *Minnesota Rules*, Chapter 2747

**Subject of Rules.** The Minnesota Department of Commerce requests comments on the possible amendment to rules governing the valuation of life insurance. The Department is considering proposed rule changes based on amendments to a model regulation adopted by the National Association of Insurance Commissioners ("NAIC") as a result of the 2008 financial crisis. The proposed modification to the rules is intended to address outdated valuation mortality resulting in redundant reserves.

**Persons Affected.** The amendments to the rules would likely affect the following persons: life insurance companies, life insurance company actuaries, and fraternal benefit societies.

**Statutory Authority.** Minnesota Statutes, sections 61A.25 and 45.023 authorize the Commissioner of Commerce to adopt rules to carry out the legislative intent of establishing minimum standards of valuation of life insurance policies, annuities, and pure endowment contracts.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until further



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