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 CHAPTER 470-H.F.No.356

*An act relating to insurance; increasing fees for examinations of insurance companies and insurance agents; increasing fees for agents' licenses and amendments; amending Minnesota Statutes 1976, Sections 60A.03, Subdivision 5; and 60A.14, Subdivision 1.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 60A.03, Subdivision 5, is amended to read:

Subd. 5. **EXAMINATION FEES AND EXPENSES.** When any visitation, examination, or appraisal is made by the commissioner, ~~his deputy, an assistant, an~~ actuary other than a consulting actuary appointed under subdivision 3, clause (3) hereof, chief examiner an audit director, a supervisor of analysts, or a certified public accountant retained by the insurance department division. the company ~~so being examined, visited or appraised,~~ including fraternal, township mutuals and reciprocal exchanges, shall pay a fee to the department division of insurance of ~~\$45 per day~~ \$130 for each and every day necessarily ~~occupied spent~~ spent by such a ~~that~~ person; and each one thereof, in making the examination, or in making an appraisal of any of the assets of the company in such activities. When the visitation, examination or appraisal is made by the principal auditor, senior auditor or rate analyst regularly employed in the division of insurance, the company being examined, visited or appraised, including fraternal, township mutuals, and reciprocal exchanges, shall pay to the division \$80 for each day necessarily occupied by that person in such activities. When the visitation, examination, or appraisal is made, or engaged in, by any other person regularly employed in the division of insurance and receiving a salary from the state, the company ~~so being examined, visited or appraised,~~ including fraternal, township mutuals and reciprocal exchanges, shall pay as fees to the division of insurance the sum of ~~\$35 per day~~ \$65 for each and every day necessarily ~~occupied spent~~ spent by such other ~~that~~ person; and each one thereof, in making or assisting to make the examination, or in making an appraisal of any of the assets of the company in such activities. In addition to the fees mentioned herein specified in this section, the company ~~so being examined, visited or appraised~~ shall also pay to the division of insurance the necessary expenses of any such person so the persons engaged in connection with any such the examination, visit or appraisal. All of these fees and expenses shall be accounted for and turned in to the state treasury paid into the general fund. The necessary expenses of any such person or persons so engaged in connection with any such examination or appraisal the persons engaged in the examination, visit or appraisal shall be paid by the state treasurer to any such person so engaged in connection with the examination or appraisal, upon vouchers of the same, on condition that such expenses shall have been previously charged to such company ~~so examined~~ commissioner of finance at rates prescribed for state employees.

Sec. 2. Minnesota Statutes 1976, Section 60A.14, Subdivision 1, is amended to read:

60A.14 FEES. Subdivision 1. FEES OTHER THAN EXAMINATION FEES. In

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addition to the fees and charges provided for examinations, ~~there~~ the following fees shall be paid to the commissioner; ~~and by him accounted for and paid into the state treasury;~~ the following fees for deposit in the general fund:

(1) By township mutual fire insurance companies:

- (a) For filing certificate of incorporation \$25 and amendments thereto, \$10;
- (b) For filing annual statements, \$15;
- (c) For each annual certificate of authority, \$15;
- (d) For filing bylaws \$25 and amendments thereto, \$10.

(2) By other domestic and foreign companies including fraternal and reciprocal exchanges:

- (a) For filing certified copy of certificate of articles of incorporation, \$50;
- (b) For filing annual statement, \$30;
- (c) For filing certified copy of amendment to certificate or articles of incorporation, \$50;
- (d) For filing bylaws or amendments thereto, \$10;
- (e) For each company's certificate of authority, \$30, annually;
- (f) For abstract or summary of annual statement for publication when prepared by commissioner, \$50.

(3) The following general fees apply:

- (a) For each certificate, including certified copy of certificate of authority, renewal, valuation of life policies, corporate condition or qualification, \$5;
- (b) For each copy of paper on file in ~~his~~ the commissioner's office 50 cents per page, and \$2.50 for certifying the same;
- (c) For license to procure insurance in unadmitted foreign companies, \$10;
- (d) For receiving and forwarding each notice, proof of loss, summons, complaint or other process served upon the commissioner of insurance, as attorney for service of process upon any non-resident agent or insurance company, including reciprocal exchanges, \$5 ~~(~~ which amount shall be paid by the party serving the same and may be taxed as other costs in the action );

(e) For valuing the policies of life insurance companies, one cent per one thousand

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dollars of insurance so valued; ~~€~~ The commissioner may, in lieu of a valuation of the policies of any foreign life insurance company admitted, or applying for admission, to do business in this state, accept a certificate of valuation from ~~such the~~ company's own actuary or from the commissioner of insurance of the state or territory in which ~~such the~~ company ~~shall be~~ is domiciled );

(f) For receiving and filing certificates of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, \$50;

(g) For issuing a non-resident agent's license, ~~\$40~~ \$25;

(h) For taking an examination for one line of insurance, ~~\$40~~ \$15 and an additional ~~\$40~~ \$15 for each examination for an additional line of insurance or for re-examination in any one line;

(i) For each new agent's license requested or for the requested renewal of an existing agent's license, ~~the a domestic~~ insurer shall remit ~~\$3~~ \$5 and all other insurers shall ~~remit \$3~~; and for each amendment requested on the license, ~~the a domestic~~ insurer shall remit ~~\$4~~ \$3 and all other insurers shall ~~remit \$1~~.

(4) All fees received by the commissioner pursuant to the provisions of this section shall be paid by him into the state treasury.

Sec. 3. This act is effective July 1, 1978.

Approved March 9, 1978.

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#### CHAPTER 471-H.F.No.1860

*An act relating to public employees retirement association; providing for adjusted accrual dates for payment of annuities, survivor benefits and disability benefits, and clarifying membership requirements for elected officials; amending Minnesota Statutes 1976, Sections 353.29, Subdivision 7; 353.32, Subdivision 1a; 353.33, Subdivision 2; 353.657, Subdivision 2a; and Minnesota Statutes, 1977 Supplement, Sections 353.01, Subdivision 2b; 353.29, Subdivision 8; and 353.31, Subdivision 8.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes, 1977 Supplement, Section 353.01, Subdivision 2b, is amended to read:

Subd. 2b. **EXCLUDED EMPLOYEES.** The following persons are excluded from the meaning of "public employee":

(a) Persons employed for professional services where such service is incidental to regular professional duties.

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