

the ice, shall not be deemed an unattended line if the owner is within sight of the line. Lines to which tip-ups are attached shall not be deemed unattended if the owner is within 80 feet of the tip-up.

Sec. 10. This act is effective 30 days after its final enactment.

Approved March 28, 1978.

CHAPTER 595-H.F.No.499

An act relating to insurance; permitting employees to opt for lower benefits provided by certain group insurance contracts; amending Minnesota Statutes, 1977 Supplement, Section 471.616, Subdivision 1.

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

Section 1. Minnesota Statutes, 1977 Supplement, Section 471.616, Subdivision 1, is amended to read:

471.616 GROUP INSURANCE; GOVERNMENTAL UNITS. Subdivision 1.
BIDDING REQUIRED. No governmental subdivision, political subdivision, or any other body corporate and politic authorized by law to purchase group insurance for its employees and providing or intending to provide such group insurance protections and benefits for 25 or more of its employees shall enter into a contract for or renew any such group insurance policy or contract without calling for bids and awarding the contract to the lowest responsible bidder by way of competitive bidding procedures similar to those for the provision of services and supplies under Minnesota Statutes 1971, Section 16.07, Subdivisions 1, 2, 4 and 5. Lowest responsible bidder means the insurer or service plan corporation submitting the lowest premium rate or the lowest charge for expenses and risk taking in accordance with the specifications for the coverage and administrative services from among such insurers or service plan corporations authorized to do business in this state which are deemed by the governmental unit to be financially able to carry the risk proposed and are capable of satisfactorily performing the administration of the policy or contract. The cost of changing insurers may also be considered in determining the lowest premium rate or the lowest charge for expenses and risk taking. The aggregate value of benefits provided by a contract entered into after July 1, 1973 shall not be less than those provided by the preexisting contract (a) unless a majority of the employees covered under the group insurance plan and voting on the question agree to a reduction in the benefits, if the employees are not represented by an exclusive representative pursuant to section 179.67, or (b) unless the public employer and the exclusive representative of the employees of an appropriate bargaining unit, certified pursuant to section 179.67, agree to a reduction in the benefits. (c) The aggregate value of benefits of any former employee who has retired shall not, in any event, be reduced pursuant to clause (a) or (b), unless he has individually agreed to the reduction.

No such contract need be submitted to bid more frequently than once very 48

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months, unless for any reason whatsoever, a 50 percent or greater change in the premium under the policy contract is provided, required or indicated.

When an insurer proposes an increase in rates, it shall accompany its proposal with an aggregate claims record for the appropriate period that explains the proposed increase. When a contract is resubmitted for bids the aggregate claims record shall accompany the specifications for the contract.

Approved March 28, 1978.

CHAPTER 596-H.F.No.523

An act relating to public safety; requiring fencing of unused open pit mines; providing a penalty; amending Minnesota Statutes 1976, Section 180.03.

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

Section 1. Minnesota Statutes 1976, Section 180.03, is amended to read:

180.03 **DUTIES.** Subdivision 1. The duties of the inspector of mines shall be to visit in person or by one of his assistants all the working mines of his county at least once every 90 days and oftener if requested so to do as hereinafter provided, and closely inspect the mines so visited and condemn all such places where he shall find that the employees are in danger from any cause, whether resulting from careless mining or defective machinery or appliances of any nature; he shall compel the erection of a partition between all shafts where hoisting of ore is performed, and where there are ladder ways, where men must ascend or descend going to and from their work. In case the inspector of mines shall find that a place is dangerous from any cause, as aforesaid, it shall be his duty immediately to order the men engaged in the work at that place to quit work, and notify the superintendent, agent, or person in charge to secure the place from the existing danger, which notification or order shall be in writing, clearly define the limits of the dangerous place, and specify the work to be done or change to be made to render the same secure, ordinary mine risks excepted. It shall be the duty of the inspector of mines to order the person, persons, or corporation working any mine, or the agent, superintendent, foreman, or other person having immediate charge of the working of any mine, to furnish all shafts, open pits, caves, and chutes of such mine where danger exists with some secure safeguard at the top of the shaft, open pit, cave, or chute, so as to guard against accidents by persons falling therein or by material falling down the same, also a covering overhead on all the carriages on which persons ascend or descend up and down the shaft, if in his judgment it shall be practicable and necessary for the purpose of safety.

Subd. 2. Every person, firm or corporation that is or has been engaged in the business of mining or removing iron ore, taconite, semitaconite or other minerals except sand, crushed rock and gravel by the open pit method in any county which has appointed an inspector of mines pursuant to section 180.01 shall erect two inch by four inch mesh fencing along the outside perimeter of the excavation, open pit, or shaft of any mine in

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