

Subd. 4. An insurance company or its agent acting in its behalf, or an authorized person who releases information, whether oral or written, acting in good faith, pursuant to ~~subdivision~~ subdivisions 1 or 2 shall be to 3a is immune from any liability, civil or criminal, that might otherwise be incurred or imposed.

Approved May 20, 1983

CHAPTER 209 — H.F.No. 599

An act relating to labor; regulating fair labor standards record keeping; changing the civil and criminal penalties on employers for violations of the record keeping and posting requirements of the Fair Labor Standards Act; amending Minnesota Statutes 1982, sections 177.27, subdivision 2; 177.30; 177.31; and 177.32, subdivision 1.

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

Section 1. Minnesota Statutes 1982, section 177.27, subdivision 2, is amended to read:

Subd. 2. The commissioner or ~~his~~ an authorized representative may require ~~from any~~ the employer of employees engaged in any occupation in the state to submit to the commissioner or the authorized representative photocopies, certified copies, or, if necessary, the originals of employment records which the commissioner or the authorized representative deems necessary or appropriate. The records which may be required include but are not limited to full and correct statements in writing, including sworn statements by the employer, with respect containing information relating to wages, hours, name names, addresses, and any other information pertaining to his the employer's employees and the conditions of their employment as the commissioner or his the authorized representative may deem deems necessary or appropriate.

The commissioner or the commissioner's authorized representative may require the records to be submitted by certified mail delivery or, if necessary, by personal delivery by the employer or a representative of the employer, as authorized by the employer in writing.

The commissioner may impose a penalty of up to \$100 on an employer for each failure of the employer to submit or deliver records as required by this section. The penalty imposed by this section is in addition to any penalties provided under section 177.32, subdivision 1.

Sec. 2. Minnesota Statutes 1982, section 177.30, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

177.30 KEEPING RECORDS.

Every employer subject to ~~any provision of sections 177.21 to 177.35 or of any rule issued adopted pursuant thereto to those sections~~ shall make and keep, for a period of not less than three years in or about the premises ~~wherein in which~~ any employee is employed, a record of the name, address and occupation of each ~~of his employees~~ employee, the rate of pay, and the amount paid each pay period to each employee, the hours worked each day and each workweek by the employee, and other information as deemed necessary and appropriate by the department shall prescribe by rule as necessary or appropriate commissioner for the enforcement of the ~~provisions of sections 177.21 to 177.35 or of the rules issued pursuant thereto.~~

The commissioner may impose a penalty of up to \$100 on an employer for each failure of the employer to maintain records as required by this section. The penalty imposed by this section is in addition to any penalties provided under section 177.32, subdivision 1.

Sec. 3. Minnesota Statutes 1982, section 177.31, is amended to read:

177.31 POSTING OF LAW AND RULES.

Every employer subject to ~~any provision of sections 177.21 to 177.35~~ shall obtain and keep a summary ~~thereof of those sections~~, approved by the department, and copies of any applicable rules ~~issued adopted pursuant thereto to those sections~~, or a summary of the rules, ~~posted and shall post the summaries~~ in a conspicuous and accessible place in or about the premises ~~wherein in which~~ any person subject ~~thereto covered by sections 177.21 to 177.35~~ is employed. The department shall furnish copies of the summaries and rules to employers without charge.

The commissioner may impose a penalty of up to \$100 on an employer for each failure of the employer to comply with this section. The penalty imposed by this section is in addition to any penalties provided by section 177.32, subdivision 1.

Sec. 4. Minnesota Statutes 1982, section 177.32, subdivision 1, is amended to read:

Subdivision 1. Any An employer who does any of the following is guilty of a misdemeanor: (a) hinders or delays the ~~department commissioner or its~~ an authorized representative in the performance of ~~its~~ duties required under sections 177.21 to 177.35 ~~or~~; (b) refuses to admit the commissioner or ~~his~~ an authorized representative to ~~any~~ the place of business or employment of the employer, as required by section 177.27, subdivision 1; ~~or~~ (c) consistently and repeatedly fails to make, keep, and preserve records as required by section 177.30; ~~or~~ (d) falsifies any record; ~~or~~ (e) refuses to make any record accessible available, or to furnish a sworn statement of the record or any other information as required by section

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

177.27; ~~or (f) consistently and repeatedly fails to post a summary of sections 177.21 to 177.35 or a copy or summary of any the applicable rule rules as required by section 177.31; or (g) pays or agrees to pay wages at a rate less than the rate applicable required under or pursuant to sections 177.21 to 177.35; or (h) otherwise violates any provision of sections 177.21 to 177.35 or of any rule issued adopted pursuant thereto; is guilty of a misdemeanor to those sections.~~

Approved May 20, 1983

CHAPTER 210 — H.F.No. 745

An act relating to the Administrative Procedure Act; requiring certain notices to be sent to the legislative commission to review administrative rules; clarifying the duties of the revisor of statutes with respect to approving the form of administrative rules; increasing the time period for adopting a rule when reviews by other agencies are necessary; establishing a deadline for agency action with respect to rules adopted without public hearing; clarifying other provisions of the act; amending Minnesota Statutes 1982, sections 14.07; 14.08; 14.12; 14.14, subdivision 1; 14.15, subdivisions 1, 3 and 4; 14.17; 14.18; 14.19; 14.21; 14.22; 14.26; 14.32; 14.47, subdivisions 1, 5, and 8; and 14.52.

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

Section 1. Minnesota Statutes 1982, section 14.07, is amended to read:

14.07 FORM OF RULE.

Subdivision 1. **RULE DRAFTING ASSISTANCE PROVIDED.** The revisor of statutes shall:

(1) maintain an agency rules drafting department to draft or aid in the drafting of rules or amendments to rules for any agency in accordance with subdivision 3 and the objective or other instructions which the agency shall give the revisor; and,

(2) prepare and publish an agency rules drafting guide which shall set out the form and method for drafting rules and amendments to rules, and to which all rules shall comply.

Subd. 2. **APPROVAL OF FORM.** No ~~procedure agency decision~~ to adopt a rule, ~~or temporary rule, or emergency rule,~~ shall be ~~initiated by any agency until effective unless~~ the agency ~~presents it has presented~~ the rule to the revisor of statutes and the revisor ~~certifies has certified~~ that its form is approved. ~~The revisor may assist in drafting rules as provided by subdivision 3.~~

Subd. 3. **STANDARDS FOR FORM.** In determining the drafting form of rules the revisor shall:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.