

INSURANCE ADJUSTERS AND APPRAISERS 72B.04

insurance shall make in the public interest to insure the prompt, fair, and honest processing of such claims and complaints.

[1973 c 474 s 1]

[For text of subd. 2, see M.S.1971]

72A.28 Violations and penalties

Subdivision 1. Any person who violates a cease and desist order of the commissioner under section 72A.23, after it has become final and while such order is in effect, shall forfeit and pay to the state of Minnesota a sum not to exceed \$10,000 for each violation, which may be recovered in a civil action. In determining the amount of the penalty the question of whether the violation was wilful shall be taken into consideration. In addition to recovering a penalty, the commissioner of insurance may revoke or suspend, in accordance with section 60A.05, any or all certificates of authority granted to any insurance company which violates a cease and desist order of the commissioner under section 72A.23, after it has become final and while such order is in effect. Nothing herein shall be construed as limiting a court in enforcing its own orders.

Subd. 2. After a cease and desist order issued by the commissioner becomes final under section 72A.24, subdivision 4, any person found to have violated section 72A.19 may be required by the commissioner to pay a penalty, for the use of the state, of not less than \$500 and not more than \$5,000 for each offense. Any insurer which fails to pay the penalty within ten days after notice from the commissioner shall be subject to having any or all of its certificates of authority suspended by the commissioner in accordance with section 60A.05 until the penalty is paid.

[1973 c 474 s 2]

CHAPTER 72B. INSURANCE ADJUSTERS AND APPRAISERS

Sec.

72B.04 License procedure and requirements; examinations; fees.

72B.04 License procedure and requirements; examinations; fees

[For text of subd. 1, see M.S.1971]

Subd. 2. Qualifications. An applicant for licensing as an adjuster under sections 72B.01 to 72B.14 shall be at least 18 years of age, and shall have one year's training and experience in adjusting insurance claims for damage or loss from risks in the field stated in his application. The applicant shall be competent and trustworthy and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

An applicant for licensing as an appraiser under sections 72B.01 to 72B.14 shall be at least 18 years of age and shall have had one year's training and experience in evaluating motor vehicle physical damage. The applicant shall be competent and trustworthy and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

An applicant for licensing as a public adjuster solicitor under sections 72B.01 to 72B.14 shall be at least 18 years of age, shall be competent and trustworthy, and shall not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of his application.

In the case of any applicant who has been convicted of a felony within the ten years next preceding the date of his application, and who in the judgment

72B.04 INSURANCE ADJUSTERS AND APPRAISERS

of the commissioner, meets the other qualifications, the commissioner may impose the additional requirement of the filing of a bond in accordance with the requirements of section 72B.08, subdivision 8.

[1973 c 725 s 2]

[For text of subds. 3 to 10, see M.S.1971]

CHAPTER 79. COMPENSATION INSURANCE

Sec.

79.01 Definitions.

79.28 Liability of insurers.

79.01 Definitions

[For text of subds. 1 to 4, see M.S.1971]

Subd. 5. Commissioner. The word "commissioner" means the commissioner of insurance.

[1973 c 577 s 1]

79.28 Liability of Insurers

Carriers of workmen's compensation insurance shall be liable to the extent and in the manner hereafter set forth for the payment of unpaid awards of workmen's compensation arising out of injuries sustained from and after the passage of Laws 1935, Chapter 103, while the employer was insured by a carrier and the carrier becomes insolvent. Upon the determination by the commissioner of insurance, or other competent authority of the state where the carrier is incorporated or organized, that any carrier of workmen's compensation insurance, which is or has been engaged in such business in this state, is insolvent, the workmen's compensation commission shall thereupon and thereafter from time to time certify to the rating bureau of Minnesota, as defined in sections 79.11 and 79.12, the unpaid awards of workmen's compensation for such injuries outstanding against employers insured by this carrier and as to which it is liable. The rating bureau shall thereupon make payment of the unpaid awards so far as funds are available at the times and in the amounts required by the awards, unless payment in a lesser number of instalments is authorized by the commissioner of the department of labor and industry; and, if sufficient funds to make all of the payments due and payable are not available in any one year, the available funds shall be prorated to these claims in proportion to the amounts of the awards due and payable in that year and the unpaid portion thereof shall be paid as soon as funds are available.

[1973 c 388 s 1]