

state that has jurisdiction to decide marriage dissolution matters may appoint an approved actuary a qualified person experienced in the valuation of pension benefits and rights to function as an expert witness in valuing pension benefits or rights.

(b) An approved actuary is a person who is enrolled as a member of the American Academy of Actuaries, or is enrolled as an actuary pursuant to the Federal Employee Retirement Income Security Act of 1974, as amended.

Approved April 24, 1988

### CHAPTER 620—S.F.No. 1719

*An act relating to occupational safety and health; regulating penalties for violations; amending Minnesota Statutes 1986, section 182.666, subdivisions 3, 5a, and 7; Minnesota Statutes 1987 Supplement, section 182.666, subdivisions 1, 2, 4, and 5.*

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

Section 1. Minnesota Statutes 1987 Supplement, section 182.666, subdivision 1, is amended to read:

Subdivision 1. Any employer who willfully or repeatedly violates the requirements of section 182.653, or any standard, rule, or order promulgated under the authority of the commissioner as provided in this chapter, may be assessed a fine not to exceed ~~\$10,000~~ \$20,000 for each violation.

Sec. 2. Minnesota Statutes 1987 Supplement, section 182.666, subdivision 2, is amended to read:

Subd. 2. Any employer who has received a citation for a serious violation of its duties under section 182.653, or any standard, rule, or order promulgated under the authority of the commissioner as provided in this chapter, shall be assessed a fine not to exceed ~~\$1,000~~ \$2,000 for each such violation. If such violation causes or contributes to the cause of the death of an employee, the employer shall be assessed a fine of up to \$10,000.

Sec. 3. Minnesota Statutes 1986, section 182.666, subdivision 3, is amended to read:

Subd. 3. Any employer who has received a citation for a violation of its duties under section 182.653, subdivisions 2 to 4, where such violation is specifically determined not to be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a fine of up to ~~\$1,000~~ \$2,000 for each such violation.

Sec. 4. Minnesota Statutes 1987 Supplement, section 182.666, subdivision 4, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 4. Any employer who fails to correct a violation for which a citation has been issued under section 182.66 within the period permitted for its correction, which period shall not begin to run until the date of the final order of the board in the case of any review proceedings under this chapter initiated by the employer in good faith and not solely for delay or avoidance of penalties, may be assessed a fine of not more than ~~\$1,000~~ \$2,000 for each day during which such failure or violation continues.

Sec. 5. Minnesota Statutes 1987 Supplement, section 182.666, subdivision 5, is amended to read:

Subd. 5. Any employer who violates any of the posting requirements, as prescribed under this chapter, except those prescribed under section 182.661, subdivision 3a, shall be assessed a fine of up to ~~\$1,000~~ \$2,000 for each violation.

Sec. 6. Minnesota Statutes 1986, section 182.666, subdivision 5a, is amended to read:

Subd. 5a. Any employer who knowingly violates section 182.6575 shall be assessed a fine of up to ~~\$1,000~~ \$2,000 for each violation. The employer shall also be liable to each aggrieved employee for civil punitive damages of ~~\$200~~ \$400.

Sec. 7. Minnesota Statutes 1986, section 182.666, subdivision 7, is amended to read:

Subd. 7. Fines imposed under this chapter shall be paid to the commissioner for deposit in the general fund and may be recovered in a civil action in the name of the department brought in the district court of the county where the violation is alleged to have occurred or the district court where the commissioner has an office. Unpaid fines shall be increased to 125 percent of the original assessed amount if not paid within 60 days after the fine becomes a final order. After that 60 days, unpaid fines shall accrue an additional penalty of ten percent per month compounded monthly until the fine is paid in full.

Approved April 24, 1988

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#### CHAPTER 621—S.F.No. 1809

*An act relating to telephones; combining local telephone service surcharges for emergency telephone service, telephone access for hearing impaired, and the telephone assistance plan into one surcharge at the option of each company; requiring the department of human services to administer the telecommunications assistance for communication impaired persons program; making other technical changes in the program; requiring the department of administration to separate the surcharges into three separate accounts; adding low-income disabled persons to those eligible for the telephone assistance plan; clarifying eligibility for*

New language is indicated by underline, deletions by ~~strikeout~~.