

offered or sold, no mention may be made of the availability of the supplemental contract. A supplemental contract offered under this paragraph must meet all other applicable requirements of this section. Violation of the terms of this paragraph is an unfair trade practice in the business of insurance and subjects the violator to the penalties provided by sections 72A.17 to 72A.32 in addition to any other penalty provided by law.

Sec. 2. Minnesota Statutes 1989 Supplement, section 61A.072, is amended by adding a subdivision to read:

Subd. 5. EXCLUSION. Subdivision 4 does not apply to contracts or supplemental contracts granting the right to receive accelerated benefits if (1) one of the options for payment provides for lump-sum payment; (2) no conditions or restrictions are imposed on the use of the funds by the insured; and (3) the offeree or insured is given written notice at the time the contract or supplemental contract is offered or sold that (i) Minnesota law sets minimum requirements for life insurance contracts where the right to receive accelerated benefits is contingent upon the insured receiving long-term care services, and (ii) the contract or supplemental contract being offered or sold does not meet those minimum requirements.

Presented to the governor April 24, 1990

Signed by the governor April 24, 1990, 10:12 p.m.

CHAPTER 508—S.F.No. 1869

An act relating to labor; requiring employers to prepare and implement a written program that describes how they will reduce the extent and severity of work-related injuries and illnesses; providing for safety awards by the commissioner of labor and industry; amending Minnesota Statutes 1988, section 182.653, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 182.

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

Section 1. Minnesota Statutes 1988, section 182.653, is amended by adding a subdivision to read:

Subd. 8. WORK PLACE PROGRAMS. An employer covered by this section must establish a written work place accident and injury reduction program that promotes safe and healthful working conditions and is based on clearly stated goals and objectives for meeting those goals. The program must describe:

(1) how managers, supervisors, and employees are responsible for implementing the program and how continued participation of management will be established, measured, and maintained;

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

(2) the methods used to identify, analyze, and control new or existing hazards, conditions, and operations;

(3) how the plan will be communicated to all affected employees so that they are informed of work-related hazards and controls;

(4) how work place accidents will be investigated and corrective action implemented; and

(5) how safe work practices and rules will be enforced.

An employer must conduct and document a review of the work place accident and injury reduction program at least annually and document how procedures set forth in the program are met.

Sec. 2. Minnesota Statutes 1988, section 182.653, is amended by adding a subdivision to read:

Subd. 9. STANDARD INDUSTRIAL CLASSIFICATION LIST. The commissioner shall adopt, in accordance with section 182.655, a rule specifying a list of standard industrial classifications of employers who must comply with subdivision 8. The commissioner shall demonstrate the need to include each industrial classification on the basis of the safety record or worker's compensation record of that industry segment. An employer must comply with subdivision 8 six months following the date the standard industrial classification that applies to the employee is placed on the list. The list shall be updated every two years.

Sec. 3. Minnesota Statutes 1988, section 182.653, is amended by adding a subdivision to read:

Subd. 10. RULEMAKING AUTHORITY. The commissioner's rulemaking authority for the purpose of implementing subdivision 8 is limited to specifying the list of standard industrial classifications as provided in subdivision 9.

Sec. 4. **[182.6731] SAFETY AWARDS.**

The commissioner may present awards to businesses that have excellent safety records. The award shall be presented jointly to the company and its employees. The commissioner may solicit advice on what businesses shall receive the awards from representatives of labor and business.

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 4:26 p.m.

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