

state, accept a certificate of valuation from the company's own actuary or from the commissioner of insurance of the state or territory in which the company is domiciled;

(5) for receiving and filing certificates of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, \$50;

(6) for each appointment of an agent filed with the commissioner, \$10;

(7) for filing forms and rates, \$75 per filing, to be paid on a quarterly basis in response to an invoice. Billing and payment may be made electronically;

(8) for annual renewal of surplus lines insurer license, \$300;

(9) \$250 filing fee for a large risk alternative rating option plan that meets the \$250,000 threshold requirement.

The commissioner shall adopt rules to define filings that are subject to a fee.

Sec. 4. Minnesota Statutes 2001 Supplement, section 79.56, subdivision 3, is amended to read:

Subd. 3. **PENALTIES.** (a) Any insurer using a rate or a rating plan which has not been filed shall be subject to a fine of up to \$100 for each day the failure to file continues. The commissioner may, after a hearing on the record, find that the failure is willful. A willful failure to meet filing requirements shall be punishable by a fine of up to \$500 for each day during which a willful failure continues. These penalties shall be in addition to any other penalties provided by law.

(b) Notwithstanding this subdivision, an employer that generates \$250,000 in annual written workers' compensation premium under the rates and rating plan of an insurer before the application of any large deductible rating plans, may be written by that insurer using rates or rating plans that are not subject to disapproval but which have been filed. For the purposes of this paragraph, written workers' compensation premiums generated from states other than Minnesota are included in calculating the \$250,000 threshold for large risk alternative rating option plans.

#### Sec. 5. **APPROPRIATION.**

\$70,000 is appropriated from the general fund to the commissioner of commerce for the purpose of verifying premiums in order to certify the \$250,000 premium threshold under Minnesota Statutes, section 79.56, subdivision 3.

#### Sec. 6. **EFFECTIVE DATE.**

Sections 3 to 5 are effective the day following final enactment.

Presented to the governor April 12, 2002

Signed by the governor April 16, 2002, 11:57 a.m.

### CHAPTER 337—S.F.No. 3288

*An act relating to public employment labor relations; extending the expiration of an interest*

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

*arbitration provision governing firefighters; amending Minnesota Statutes 2000, section 179A.16, subdivision 7a.*

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

Section 1. Minnesota Statutes 2000, section 179A.16, subdivision 7a, is amended to read:

Subd. 7a. **DECISION AFFECTING FIREFIGHTERS.** (a) For firefighters, subdivision 7 governs, except that the arbitrator or panel is restricted to selecting between the final offer total packages of the parties as submitted to the commissioner at impasse, unless conventional arbitration is agreed to by both parties in writing. However, the arbitrator or panel has no jurisdiction or authority to entertain any matter or issue that is not a term and condition of employment or protected by section 179A.07, subdivision 1, unless the matter or issue was included in the employer's final position.

(b) This subdivision expires June 30, ~~2003~~ 2006.

Presented to the governor April 12, 2002

Signed by the governor April 16, 2002, 11:59 a.m.

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#### CHAPTER 338—S.F.No. 3380

*An act relating to family law; modifying provisions governing postnuptial contracts; amending Minnesota Statutes 2000, section 519.11, subdivision 1a.*

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

Section 1. Minnesota Statutes 2000, section 519.11, subdivision 1a, is amended to read:

Subd. 1a. **POSTNUPTIAL CONTRACT.** (a) Spouses who are legally married under the laws of this state may enter into a postnuptial contract or settlement which is valid and enforceable if it:

(1) complies with the requirements for antenuptial contracts or settlements in this section and in the law of this state, including, but not limited to, the requirement that it be procedurally and substantively fair and equitable both at the time of its execution and at the time of its enforcement; and

(2) complies with the requirements for postnuptial contracts or settlements in this section.

(b) A postnuptial contract or settlement that conforms with this section may determine all matters that may be determined by an antenuptial contract or settlement under the law of this state, except that a postnuptial contract or settlement may not

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