

shall be reported as earnings by the company to which they are paid, but shall not be deemed earnings of the collecting and paying company. For the purposes of this section, the population of any village shall be considered as that stated in the latest federal census.

Subd. 2. All telephone companies whose gross earnings from operations during any calendar year whether derived from fixed assessments or any other source, and exclusive of connecting fees and switching charges paid to others, are \$100.00 or less, shall pay into the state treasury a tax of fifteen cents per telephone for each telephone connected to the system during such calendar year whether the same is in actual use or not. Every taxpayer subject to this subdivision shall on or before February first of each year file a verified report in duplicate copy with the commissioner of taxation in such form as may be prescribed, showing the number of telephones connected to the system whether in use or not, and such other information as the commissioner may deem necessary to a proper determination of the tax herein imposed. In all other respects the taxpayers subject to these provisions shall be governed by all other provisions of law in force and applicable to the gross earnings tax of telephone companies.

Approved April 21, 1949.

CHAPTER 543—H. F. No. 692

An act relating to the equalization of assessments by local boards of review, county boards of equalization and state board of equalization; amending Minnesota Statutes 1945, Sections 274.01, 274.13, 274.14, 270.13; and repealing Sections 274.02 and 274.06.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1945, Section 274.01, is amended to read:

274.01. **Board of review.** The town board of each town, the council or other governing body of each village, *borough*, and city, except in cities whose charters provide for a board of equalization, shall be a board of review. *The county assessor*

or supervisor of assessments shall fix a day when each of such boards and the board of equalization of any city whose charter provides for a board of equalization shall meet in the several assessment districts of the county, and shall on or before May first of each year give written notice thereof to the clerk. Such meetings shall be held between the 1st day of June and the 15th day of July in each year, and the clerk shall give published and posted notice of such meeting at least ten days prior to the date fixed. Such board shall meet at the office of the clerk to review the assessment of property in such town or district, and immediately proceed to examine and see that all taxable property in the town or district has been properly placed upon the list, and duly valued by the assessor. In case any property, real or personal shall have been omitted, the board shall place it upon the list with its true value, and correct the assessment so that each tract or lot of real property, and each article, parcel, or class of personal property, shall be entered on the assessment list at its full and true value; but no assessment of the property of any person shall be raised until he has been duly notified of the intent of the board so to do. On application of any person feeling aggrieved, the board shall review the assessment, and correct it as shall appear just. A majority of the members may act at such meeting, and adjourn from day to day until they finish the hearing of all cases presented. The assessor shall attend, with his assessment books and papers, and take part in the proceedings, but shall not vote. If the county employs a county assessor, he or an assistant, delegated by him shall attend such meetings. The board shall list separately, on a form appended to the assessment book, all omitted property added to the list by the board and all items of property increased or decreased, with the full and true value of each item of property, added or changed by the board, placed opposite such item. The assessor shall enter all changes made by the board, in the assessment book. In counties employing a county assessor such changes shall be made by him, instead of the local assessor.

The board of review, and the board of equalization of any city, shall complete its work and adjourn within 20 days from the time of convening specified in the notice of the clerk and no action taken subsequent to such date shall be valid. All complaints in reference to any assessment made after the meeting of such board, shall be heard and determined by the county board of equalization. Any non-resident may, at any time, before the meeting of the board of review file written objections to his assessment with the county assessor or super-

visor of assessments and if any such objections are filed they shall be presented to the board of review at its meeting by the county assessor or supervisor of assessments for its consideration.

Sec. 2. **Repealer.** Minnesota Statutes 1945, Sections 274.02 and 274.06, are hereby repealed.

Sec. 3. Minnesota Statutes 1945, Section 274.13, is amended to read:

274.13. **County board of equalization.** The county commissioners, or a majority of them, with the county auditor, or, if he cannot be present, the deputy county auditor, or, if there be no such deputy, the clerk of the district court, shall form a board for the equalization of the assessment of the property of the county, *including the property of all cities whose charters provide for a board of equalization.* The board shall meet annually, on the third Monday in July, at the office of the auditor and, each member having taken an oath fairly and impartially to perform his duties as such, shall examine and compare the returns of the assessment of property of the several towns or districts, and equalize the same so that each tract or lot of real property and each article or class of personal property shall be entered on the assessment list at its full and true value, subject to the following rules:

(1) The board shall raise the valuation of each tract or lot of real property which in its opinion is returned below its full and true value to such sum as is believed to be the full and true value thereof; first, giving notice of intention so to do to the person in whose name it is assessed, if a resident of the county, which notice shall fix a time and place when and where a hearing will be had;

(2) The board shall reduce the valuation of each tract or lot which in its opinion is returned above its full and true value to such sum as is believed to be the full and true value thereof;

(3) The board shall raise the valuation of each class of personal property which in its opinion is returned below its full and true value to such sum as is believed to be the full and true value thereof; and shall raise the aggregate value of the personal property of individuals, firms, or corporations, when

it believes that such aggregate valuation, as returned, is less than the true value of the taxable personal property possessed by such individuals, firms, or corporations, to such sum as it believes to be the full and true value thereof; first giving notice to such persons of intention so to do, which notice shall fix a time and place when and where a hearing will be had;

(4) The board shall reduce the valuation of each class of personal property enumerated in Revised Laws 1905, Section 835, which is returned above its full and true value to such sum as it believes to be the full and true value thereof; and, upon complaint of any party aggrieved, the board shall reduce the aggregate valuation of the personal property of such individual, or of any class of personal property for which he is assessed, which in its opinion has been assessed at too large a sum, to such sum as it believes was the full and true value of his personal property of such class;

(5) The board shall not reduce the aggregate value of the real property, or the aggregate value of the personal property, of its county below the aggregate value thereof, as returned by the assessors, with the additions made thereto by the auditor as in this chapter required; but the board may raise the aggregate valuation of such real property, and of each class of personal property, of the county, or of any town or district thereof, when it believes the same is below the full and true value of the property, or class of property, to such aggregate amount as it believes to be the full and true value thereof.

Sec. 4. Minnesota Statutes 1945, Section 274.14, is amended to read:

274.14. **Length of session; record.** The county board of equalization may continue in session and adjourn from time to time during four weeks, commencing on the third Monday of July and ending on or before the third Monday of August, when it shall adjourn and no action taken subsequent to the third Monday of August shall be valid. The county auditor shall keep an accurate record of the proceedings and orders of the board, which record shall be published in the same manner as other proceedings of county commissioners. A copy of such published record shall be transmitted to the *commissioner of taxation*, with the abstract of assessment required by Section 274.16.

Sec. 5. Minnesota Statutes 1945, Section 274.16, is amended to read:

274.16. **Corrected lists; abstract to state auditor.** The county auditor *in all counties not having county assessors* shall calculate the changes of the assessment lists determined by the county board of equalization, and make corrections accordingly, in the real or personal lists, or both, as the case may be. *The county auditor, or the county assessor in counties having county assessors*, shall make duplicate abstracts of the same, one of which he shall file in his office, and one he shall forward to the *commissioner of taxation* on or before the fourth Monday of August.

Sec. 6. Minnesota Statutes 1945, Section 270.13, is amended to read:

270.13. **Record of proceedings changing assessed valuation; duties of county auditors.** A record of all proceedings of the commissioner of taxation affecting any change in the assessed valuation of any property, as revised by the state board of equalization, shall be kept by the commissioner of taxation and a copy thereof, duly certified, shall be mailed to the auditor of each county wherein such property is situated, *on or before November fifteenth each year*. This record shall specify the amounts or amount, or both, added to or deducted from the valuation of the real property of each of the several towns, villages, and cities, and of the real property not in towns, villages, or cities, also the per cent or amount of both, added to or deducted from the several classes of personal property in each of the towns, villages, and cities, and also the amount added to or deducted from the assessments of individuals, partnerships, associations, or corporations. The county auditor shall add to or deduct from such tract or lot, or portion thereof, of any real property in his county the required per cent or amount, or both, on the valuation thereof as it stood after equalized by the county board, adding in each case a fractional sum of 50 cents or more, and deducting in each case any fractional sum of less than 50 cents, so that no valuation of any separate tract or lot shall contain any fraction of a dollar; and add to, or deduct from, the several classes of personal property in his county the required per cent or amount, or both, on the valuation thereof as it stood after equalized by the county board, adding or deducting in manner aforesaid any fractional sum so that no valuation of any separate class of personal property shall contain a fraction of a dollar, and add

to or deduct from assessments of individuals, copartnerships, associations, or corporations, as they stood after equalization by the county board, the required amounts to agree with the assessments as returned by the commissioner of taxation.

Sec. 7. **Inconsistent acts.** *All acts or parts of acts inconsistent with the provisions of this act are superseded by this act.*

Sec. 8. **Effective date.** This act shall take effect May 1, 1949.

Approved April 21, 1949.

CHAPTER 544—H. F. No. 732

An act relating to the Department of Insurance, and amending Minnesota Statutes 1945, Section 63.01.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Minnesota Statutes 1945, Section 63.01, is amended to read as follows :

63.01. **Assessment benefit association authorized.** Any three or more persons, who are citizens of this state, desiring to form an assessment benefit association under Sections 63.01 to 63.22 shall submit to the commissioner, in writing, proposed articles of association. Such articles shall state the name of the association, the location of its principal business office, which office must be located in this state, the time and place of holding meetings of the association, the manner of voting at the meetings and the number of members required to constitute a quorum, the names and residences of the persons so desiring to form the association, the number of its directors, and the names and addresses of the directors selected to serve until the first annual meeting of the association, the object of the association, with its plan of doing business clearly and fully defined, the maximum amount of benefits it is intended to pay, which may be graduated according to the age of the insured at the time of his admission to membership. *From and after May 15, 1949, no assessment benefit association shall be*