

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 21, 1915.

CHAPTER 208—S. F. No. 96.

An Act to amend Section four (4), six (6), seven (7), and eight (8), Chapter three hundred eighty-six (386), Laws of nineteen hundred eleven (1911) relating to the department of insurance.

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

Section 1. **Use of contingent fund of insurance commissioner.**—That Section Four (4), Chapter 386, Laws of 1911, be amended so as to read as follows:

Sec. 4. *The contingent fund appropriated for the use of the department of insurance may be expended by the commissioner of insurance as he may deem for the best interest of said department.*

Sec. 2. **Given power to make appraisal of assets of any company.**—That Section Six (6), Chapter 386 of the Laws of 1911, be amended so as to read as follows:

Sec. 6. At least once in every two years, the commissioner of insurance shall personally, or by his deputy, actuary, examiners or other salaried employe of his office, visit each domestic insurance company, other than township mutual fire insurance companies, and carefully examine its affairs for the purpose of ascertaining its financial condition and ability to fulfill its obligations, and if it be complying with all the provisions of law. He may also make such examination at any other time that he shall have reason to believe that such company is in an unsound condition, or that it is not conducting its business according to the provisions of law. *He may also personally or by his deputy, actuary, examiners or other salaried employe of his office whenever he shall deem it necessary, make an appraisal of any or all of the company's assets.* The commissioner, or person making the examination by his direction shall have free access to all books and papers of any company, and of the books and papers of any of its agents, that may relate to its business, and may summon and examine under oath of its directors, officers, agents, trustees, or other persons, in relation to its affairs and condition. The commissioner of insurance may in like manner, whenever he deems it necessary, make an examination of the affairs or an appraisal of any or all of the assets of any insurance company admitted, or applying for admission to do business under the laws of this state.

In the case of foreign insurance companies admitted or applying for admission to do business in this state, the insurance commissioner may, in his discretion, accept the report of examination made by the commissioner of insurance or corresponding officer of the state in which such company has its home office, in lieu of making the examination of such company authorized by the laws of this state.

Sec. 3. **Fees for making appraisal.**—That Section Seven (7), Chapter 386 of the Laws of 1911 be amended so as to read as follows:

Sec. 7. When any such visitation, examination or appraisal is made by the insurance commissioner, his deputy, actuary or chief examiner, the company so examined, except township mutual fire insurance companies, and companies organized exclusively to write insurance against loss or damage by cyclone, tornado and windstorm, or any one or more of them, upon the mutual plan, shall pay a fee to the said department of insurance of \$15.00 per day for each and every day necessarily occupied by such person, and each one thereof in making said examination, or in making an appraisal of any of the assets of said company. When such visitation, examination or appraisal is made, or engaged in, by any other person regularly employed in the said department of insurance and receiving a salary from the State of Minnesota, the company so examined, except township mutual fire insurance companies and companies organized exclusively to write insurance against loss or damage by cyclone, tornado and windstorm or any one or more of them, upon the mutual plan, shall pay as fees to the said department of insurance the sum of \$10.00 per day, for each and every day necessarily occupied by such other person, and each one thereof, in making or assisting to make, the examination, or in making an appraisal of any of the assets of said company. In addition to the fees mentioned herein the company so examined shall also pay to the department of insurance the necessary expenses of any such person or persons so engaged in connection with any such examination or appraisal. All of which fees and expenses shall be accounted for and turned into the treasury of the State of Minnesota. In case of the examination of township mutual fire insurance companies, and companies organized exclusively to write insurance against loss or damage by cyclone, tornado and wind storm, or any one or more of them upon the mutual plan, the actual expenses only thereof shall be charged. The necessary expenses of any such person or persons so engaged in connection with any such examination or appraisal shall be repaid by the state treasurer to any such person or persons so engaged in connection with said examination or appraisal upon vouchers of the same, on condition that such expenses shall have been previously charged to such company so

examined and the full amount thereof by it paid into the state treasury.

Sec. 4. **Assistance in conducting an appraisal.**—That Section eight (8), Chapter 386 of the Laws of 1911 be amended so as to read as follows:

Sec. 8. The commissioner of insurance may, when he shall deem it necessary, appoint any experienced and competent professional insurance actuary to personally make or conduct or assist in making or conducting an examination of any insurance company admitted, or applying for admission, to do business in this state, on condition that he, the commissioner of insurance, shall have previously filed with the secretary of state during the last immediately preceding month of January or July, as the case may be, or within thirty days from the passage of this act, a written declaration designating such person, by name and address, as a consulting actuary of the Minnesota department of insurance. And in such case, the commissioner of insurance shall fix a reasonable compensation for such examiner on a per diem basis for the actual time employed in making or conducting or assisting to make or conduct such examination, and which, including expenses of any necessary appraisal or clerical assistance, shall be charged to the company so examined. And the compensation for such examiner, appraisal or clerical assistance, together with the amount of his necessary expenses actually incurred in connection with such examination, shall, upon proper vouchers therefor, be paid to him by the state on condition that same shall have previously been charged to such company and by it paid into the state treasury.

The Commissioner of Insurance, when he shall deem it necessary, may appoint any competent person to make an appraisal of any or all of the assets of any such company, at a compensation of not exceeding ten dollars (\$10.00) per day and necessary expenses incurred in connection therewith, which compensation and expenses shall be paid to the department of insurance by such company and by it accounted for and turned into the treasury of the State of Minnesota; and which compensation and expenses shall be repaid by the state treasurer to any person so appointed upon proper vouchers of the same on condition that such fees and expenses shall have previously been charged to such company and the full amount thereof by it paid into the state treasury.

Approved April 21, 1915.

CHAPTER 209—S. F. No. 418.

An Act amending the title and Sections 12, 13, 14, 17, 18, 21, 22, 23, 24A, 25, 30, 31A, and 34 of Chapter 467, G. L. 1913, "An Act prescribing the liability of an employer to make com-