

such accounting methods as they may deem proper, and to do any and all other things reasonably necessary in carrying out the provisions of this Act.

Approved April 17, 1933.

CHAPTER 314—S. F. No. 1276

An act to amend Session Laws of Minnesota 1929, Chapter 219, Section 11, relating to the manner of operating airplanes and providing for the violation thereof.

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

Section 1. **Hunting from airplanes prohibited.**—That the Sessions Laws of Minnesota 1929, Chapter 219, Section 11, be and same hereby is amended to read as follows:

“Section 11. Any aeronaut or passenger who, while in flight, in an airplane, within this state, shall intentionally kill or attempt to kill any birds or animals excepting those on which the state pays a bounty, or uses any airplane for the purpose of concentrating, driving, rallying or stirring up migratory water-fowl, shall be guilty of a misdemeanor.”

Approved April 17, 1933.

CHAPTER 315—H. F. No. 1370

An act directing the Minnesota Tax Commission to compromise taxes assessed upon shareholders of banks.

WHEREAS, the right of this State and other states to collect taxes on national banks and their shareholders is governed and controlled by the Congress of the United States, and whereas the Supreme Court of this State in State of Minnesota, vs. First National Bank, 164 Minn. 235, and the Supreme Court of the United States, Minnesota vs. First National Bank, 273 U. S. 561, have held that this State cannot collect taxes on shareholders of national banks at more than about one-eighth of present rate, and whereas until Congress removes its present restriction as expressed in Sec-

tion 5219 R. S., the State can do nothing which effectively will insure the collection of any taxes on national banks, and whereas during the coming two years, in addition to other difficulties relating to public revenues in the various cities, villages, school districts and counties over the State there will be almost certain loss of all revenues from bank taxation with a consequent increase in the taxes paid by all other taxpayers, and whereas in this emergency an effort must be made in some form or by some means to preserve as much of the revenue assessed against banks and their shareholders as the State can possibly secure, and whereas the State is pressing as vigorously as may be by its effort to have Congress amend the federal law now barring the State from effective taxation of national banks and their shareholders, which amendment cannot possibly be effected within one year and probably cannot be secured before the next session of this Legislature, and whereas because of the situation as to national banks the right to collect taxes assessed against shareholders of state banks is also brought into question.

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

Section 1. State Tax Commission to compromise national bank taxes.—The Minnesota Tax Commission is directed to enter into agreements of settlement with any state or national bank, which, acting in behalf of its shareholders, offers to settle and compromise taxes by paying 75% of such taxes as shall be assessed against the shareholders as of May 1st, 1933, and as of May 1st, 1934. Such tender shall provide for the payment of said 75% of said taxes for both of said years and shall agree to pay said taxes before they become delinquent. When any such bank signifies to said Commission that it will pay 75% of the taxes assessed against it for both of said years, the compromise herein described shall be effective without further action by said Commission. Such tender shall be signed by the president or vice-president and the cashier or assistant cashier of such bank, when so signed and approved it shall be deemed the act of any such bank and of its stockholders and shall be and remain a binding obligation of such bank, and of its stockholders as well, to pay the amount so tendered before said taxes shall become delinquent.

Sec. 2. Commission to certify amount of taxes.—After receipt of such tender and before any such tax shall become delinquent, the Commission shall certify to the Treasurer of the proper county the fact that such tender has been made and accepted and thereupon such Treasurer shall receive and accept 75% of the taxes assessed against the shareholders of such bank in full settlement and compromise of the taxes assessed and charged against such shareholders.

Sec. 3. **Commission to limit date of tender.**—Said Tax Commission may fix and prescribe a date beyond which no such tender of compromise will be accepted which date shall be uniform as to all banks. Said Commission shall mail notice of the date so fixed to each bank which has not theretofore made the tender herein provided for. After such date, no such tender shall be accepted except for good cause shown.

Approved April 17, 1933.

CHAPTER 316—S. F. No. 1478

An act entitled an act providing for the appointment of a County Assessor in any county and any city of the first class within such county which such city shall contain taxable property having an assessed valuation of more than ninety-five per cent (95%) of the assessed valuation for taxation purposes of all property in such county which such county shall have a population of not less than 220,000 and not more than 330,000^a inhabitants and which such county shall contain property of an assessed valuation of not more than \$250,000,000 exclusive of moneys and credits.

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

Section 1. **Appointment of county assessor in certain counties.**—That in any county of this state which shall now or hereafter contain a city of the first class, which such city shall contain taxable property having an assessed valuation of more than 95% of the assessed valuation for taxation purposes of all property in any such county, which such county shall have a population of not less than 220,000 and not more than 330,000 inhabitants and which such county shall contain property of an assessed valuation of not more than \$250,000,000 exclusive of moneys and credits, a county assessor shall be appointed on the 10th day of March or as soon thereafter as practicable of each odd numbered year by the majority vote of a board composed of the Chairman of the Board of County Commissioners, and the County Auditor of such county and the Comptroller of such city of the first class, which said county assessor shall hold office for a term of two years, and until his successor is appointed and qualified.

Sec. 2. **Assessor to be resident.**—The said County Assessor shall be a resident freeholder and qualified elector of said county.