

CHAPTER 86—H. F. No. 436.

An act to amend Laws 1933, Extra Session, Chapter 53, Sections 1, 2, and 3, relating to firemen's relief associations in cities of the first class and in certain cases providing for the imposition and collection of a surcharge on certain insurance premiums and for the payment of the proceeds thereof to such associations.

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

Section 1. Surcharge on insurance premiums.—Laws 1933, Extra Session, Chapter 53, Section 1, is hereby amended so as to read as follows:

"Section 1. Whenever the balance in the special fund of any Firemen's Relief Association in any city of the first class is less than \$300,000.00, as determined by any such association's board of trustees, which fact shall be duly certified to by the State Comptroller, such board of trustees may thereupon file its duly verified petition for relief, accompanied by such certificate, with the Commissioner of Insurance. The Commissioner of Insurance shall thereupon order and direct a surcharge to be collected of *two per cent* of the fire, lightning and sprinkler leakage gross premiums, less return premiums, on all direct business received by any foreign or domestic fire insurance company on property in such city of the first class, or by its agents for it, in cash or otherwise, *until the balance in the special fund of such relief association amounts to \$300,000.00 and for a period of 15 days thereafter. As soon as the balance in said special fund amounts to \$300,000.00 the board of trustees of such relief association shall certify that fact to the Commissioner of Insurance and the Commissioner of Insurance shall forthwith issue his order ordering and directing that the collection of such surcharge shall be discontinued after the expiration of said 15 day period and shall forthwith mail a copy of the order last mentioned to each insurance company affected thereby.* Said surcharge shall be due and payable from such companies to the State Treasurer in semi-annual installments on June 30th and December 31st of each calendar year, and if not paid within 30 days after such dates a penalty of *ten per cent* shall accrue thereon and thereafter such sum and penalty shall draw interest at the rate of *one per cent* per month until paid."

Sec. 2. Auditor to issue warrant.—Laws 1933, Extra Session, Chapter 53, Section 2, be amended so as to read as follows:

"Section 2. The State Auditor of this state on July 31, 1934, and semi-annually thereafter, shall issue and deliver to the treasurer of such relief association in such city his warrant upon the State Treasurer for an amount equal to the total amount of said surcharge on said premiums within such city theretofore so collected and transmitted to the State Treasurer by such insurance companies. *There is hereby appropriated out of any moneys in the general revenue fund in the State Treasury not otherwise appropriated such sums as may from time to time be necessary to pay such warrants.*"

Sec. 3. Treasurer to pay warrants out of general fund.—Laws 1933, Extra Session, Chapter 53, Section 3, be amended so as to read as follows:

"Section 3. The State Treasurer shall, upon presentation to him of the warrant of the State Auditor specified in the foregoing section, pay out of the general revenue fund of the state the amount thereof to the treasurer of such relief association presenting the warrant. *The treasurer of such relief association shall place the money received by him in payment of any such warrant in the special fund of such relief association.*"

Approved April 1, 1935.

CHAPTER 87—H. F. No. 460.

An act to amend Laws 1933, Chapter 177, Section 12, relating to firemen's relief associations in cities of the first class, and the providing of funds therefor.

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

Section 1. Tax levy for firemen's relief associations.—Laws 1933, Chapter 177, Section 12, is hereby amended so as to read as follows:

"Section 12. The city council or other governing body of each city wherein such a relief association is located shall each year, at the time the tax levies for the support of the city are made, and in addition thereto, levy a tax of *three-tenths* of one mill on all the taxable property within said city. Provided, however, that in the event the balance in said relief association's special fund, at the time said levy is made, is less than \$300,000.00, as determined by said association's board of trustees, then it shall be the duty of said city's gov-