

improvements. If a person other than the occupant or user of said land shall purchase the same, such purchaser shall pay to the state at the time of the sale, in addition to all other required payments, the full amount for which such improvements are appraised in cash, and the amount so received by the state for such improvements shall be paid over to the present occupant or user of the land, or his successors in interest as compensation therefor, by warrant drawn by the state auditor upon the state treasurer. Any amounts received for such improvements are hereby appropriated for the purpose of making such payment.

Approved April 19, 1947.

CHAPTER 416—H. F. No. 184

[Coded as Section 6.136]

An act providing for the refundment of money by the state, making appropriation therefor, and repealing Minnesota Statutes 1945, Section 6.135.

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

[6.136] **Refundment of money.** Section 1. Subdivision 1. **Presentment and approval of claim; warrant in payment.** When money has been paid into the state treasury through error, or under circumstances such that the state is not legally entitled to retain the same, the money so paid may be refunded upon the submission of a verified claim therefor as hereinafter provided. The claimant shall present his verified claim, together with a complete statement of facts and reasons for which the refund is claimed, to the head of the state agency concerned, who shall forthwith examine it and endorse thereon his approval or disapproval thereof, together with his reasons therefor. Upon approval, the head of the state agency shall submit the claim to the state auditor, who shall issue his warrant in payment thereof out of the fund to which such money was credited in the manner provided by law.

Sec. 2. Subd. 2. **Appropriation.** There is hereby appropriated to the persons entitled to such refund, from the fund

in the state treasury to which such money was credited, an amount sufficient to make such refund and payment.

Sec. 3. **Repealer.** Minnesota Statutes 1945, Section 6.135, is hereby repealed.

Approved April 19, 1947.

CHAPTER 417—H. F. No. 282

An act relating to proceedings for the alteration, repair, or demolition of buildings and structures creating a fire hazard; amending Minnesota Statutes 1945, Sections 73.13, 73.14, 73.15, and 73.16.

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

Section 1. Minnesota Statutes 1945, Section 73.13, is amended to read as follows:

73.13. Notice, service on owner. A copy of the order filed in accordance with section 73.12, together with a written notice that the same has been so filed and will be put in force unless the owner or occupying tenant shall file with the clerk of the court his objections and answer thereto within the time specified in Section 73.14, shall be served upon the owner of the building or structure so directed to be altered, repaired, or demolished; and, if there be a tenant occupying the building, then also upon this occupant. Service shall be made upon the owner and *occupying* tenant, if there be one, personally, either within or without the state. *It shall be deemed a personal service of the order and notice if the copy thereof be left at the house of the usual abode of the person to be served, with some person of suitable age and discretion then residing therein.* If the whereabouts of the owner is unknown and the same cannot be ascertained by the state fire marshal in the exercise of reasonable diligence, then, upon his filing in the office of the clerk of the district court his affidavit to this effect, service of the notice upon the owner may be made by publishing the same once in each week for three successive weeks in a newspaper printed and published in the county in which the building or structure is located and by posting a copy thereof in a conspicuous place upon the building or structure, and the service so made shall be deemed to be complete upon the expiration of the publication period. Proof of service of the notice shall be filed in