

\$1,000; provided, that no member shall be entitled to more than 100 votes; and, provided, further, that in the case of group insurance on employees such group shall be deemed to be a single member and the employer shall be deemed to be such member for the purpose of voting, having not to exceed 100 votes, provided, that in cases where the employees pay all or any part of the premium, either directly or by payroll deductions, the employees shall be allowed to choose their representative, who shall exercise a voting power in proportion to the percentage of premium paid by such employees. Every member shall be notified of its annual meetings by a written notice mailed to his address, or by an imprint on the back of his policy, *premium notice*, receipt or certificate of renewal, as follows:

“The insured is hereby notified that by virtue of his policy he is a member of the Insurance Company, and that the annual meetings of said company are held at its home office on the day of in each year, at o'clock.”

The blanks shall be duly filled in print. Any member of a domestic life insurance company may vote by proxy, provided, that the written proxy appointment shall be filed with the company at least five days before the meeting at which it is to be used.

Approved April 6, 1949.

CHAPTER 292—H. F. No. 798

[Section 2 Coded as Section 73.171]

An act authorizing the adoption, promulgation, and enforcement of uniform rules and regulations for the safekeeping, storage, handling, use, transportation, or other disposition of flammable liquids; amending Minnesota Statutes 1945, Section 73.17.

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

Section 1. Minnesota Statutes 1945, Section 73.17, is hereby amended to read:

73.17. **Combustible material removed.** The state fire marshal, the chief assistant fire marshal, or any deputy fire marshal, who finds in any building or upon any premises any combustible or explosive material, rubbish, rags, waste, or inflammable matter of any kind, *except liquids covered by section 2*, endangering the safety of the building or property or the occupants thereof or the occupants of adjoining buildings shall order these materials removed or the dangerous condition corrected forthwith. This order shall be in writing and directed generally to the owner, lessee, agent, or occupant of the building or premises and any owner, lessee, agent or occupant upon whom such notice shall be served who fails to comply therewith within 24 hours thereafter, unless the order prescribes a longer period within which it may be complied with, shall be guilty of a misdemeanor, and the material may be removed or dangerous condition corrected at the expense of the owner of the building and premises or the person upon whom the service is so made, or both, and the state fire marshal may maintain all necessary actions for the recovery thereof.

[73.171] **Sec. 2. Regulation.** Subdivision 1. The state fire marshal shall make, promulgate, and enforce reasonable rules and regulations for the safekeeping, storage, handling, use, transportation, or other disposition of flammable liquids except transportation by petroleum carriers as covered in Laws 1947, Chapter 281; but the size and weight of loads of and vehicles transporting such products upon public highways within this state shall be governed by the uniform provisions in Minnesota Statutes 1945, Sections 169.80 to 169.88.

Subd. 2. For the purposes of this section, and the rules and regulations adopted pursuant thereto, flammable liquids shall be divided into three classes according to flash point:

(1) Liquids with a flash point at or below 25 degrees Fahrenheit (minus four degrees Centigrade) closed cup tester;

(2) Liquids with a flash point above that for class (1), and at or below 80 degrees Fahrenheit (27 degrees Centigrade) closed cup tester;

(3) Liquids with a flash point above that for class (2), and at or below 187 degrees Fahrenheit (86 degrees Centigrade) closed cup tester;

The term "flammable liquids" includes liquefied gases which exist as liquids at a temperature of 60 degrees Fahrenheit and a pressure of 14.7 pounds per square inch absolute.

Subd. 3. No local government shall enact any regulation or ordinance which is inconsistent with the rules and regulations adopted by the state fire marshal pursuant to this section. Nothing in this section shall be construed to affect the power of any local government, when so authorized by law, to regulate the use of land by zoning. Any city or village in which there is no comprehensive zoning ordinance in effect may prohibit the installation or erection of flammable liquid bulk plants within areas which are predominantly residential or in areas used predominantly for retail mercantile purposes. Any city or village may prescribe routes for the transportation of flammable liquids through such city or village by motor vehicle transport.

Subd. 4. The fire marshal of each city of the first class, the chief of the fire department of each other city or village in which a fire department is established, the mayor of each city in which no fire department exists, the president of the village board of each village in which no fire department exists, and the town clerk of each town without the limits of any city or village shall, upon direction of the state fire marshal, enforce within their respective jurisdictions all rules and regulations adopted pursuant to this section and shall render such other assistance as may be requested.

Subd. 5. If it appears that a rule or regulation promulgated hereunder has been violated, the state fire marshal shall issue an order setting forth the facts constituting the violation and ordering its correction. The order shall be served upon the owner, occupant, or operator of the premises upon which such violation is found, either personally or by registered mail, and shall be filed in the manner provided by section 73.12. Review and enforcement of such order shall be had in the manner provided by sections 73.13 to 73.16. Review or enforcement proceedings under sections 73.13 to 73.16 shall not relieve the offending party of any criminal responsibility that may have otherwise accrued.

Approved April 6, 1949.