

### 62.11 DISCRIMINATION PROHIBITED

Appropriation of dividends and classification of policies, with or without disability benefits, for purposes of anti-discrimination statutes. 32 MLR 186.

### 62.12 APPLICATION

NOTE: See Section 131.26.

## CHAPTER 63

### ASSESSMENT BENEFIT ASSOCIATIONS

NOTE: Sections 63.36 and 63.37 provide for licensing and supervision of employers by the commissioner of insurance after reference to the chairman of the industrial commission. The present law relating to assessment benefit associations originated with Laws 1933, Chapter 241, (Sections 63.01 to 63.22). Section 63.23 excepts certain charitable or religious associations from provisions of the chapter; but as originally enacted, permitted certain existing associations, under defined conditions, to qualify under the act. Sections 63.24 through 63.35 deal with re-insurance. Associations organized under this chapter are not subject to premium tax under provisions of section 60.63. They are exempt under section 61.57. Laws 1945, Chapter 178, coded as section 63.015, was a much needed law, permitting amendment of articles to permit many new features. The law was again very materially amended by Laws 1947, Chapter 440. Laws 1933, Chapter 241, Section 23, permitted certain existing associations, under defined conditions, to qualify under this act.

### 63.01 AUTHORIZATION

Assessment benefit associations may transform themselves into fraternal beneficiary societies, cooperative life or legal reserve life insurance companies. 32 MLR 387.

63.015 Renumbered 63.235.

### 63.02 APPLICATIONS, PERMIT TO SOLICIT

HISTORY. 1933 c 241 s 2; 1951 c 257 s 1.

### 63.235 LEGAL RESERVE PLAN

HISTORY. 1945 c 178 s 2; 1951 s 257 s 2.

A "waiver" is a voluntary relinquishment of a known right and consideration is not essential to establish it. The evidence supported a finding that the insurer waived the forfeiture clause relating to double indemnity and the insurer could not thereafter revoke its action in so doing. The instructions given by the trial judge when read as a whole sufficiently presented the question of the insurer's waiver of the right to declare a forfeiture of the double indemnity provision. *Engstrom v Farmers & Banker's Life Insurance Co.*, 230 M 308, 41 NW(2d) 422.

### 63.36 LICENSES REQUIRED FOR EMPLOYEES MAKING DEDUCTIONS FROM WAGES OF EMPLOYEES

Laws 1943, Chapter 86, authorizes the deletion of laws for fire caused by foreign enemies as a risk excepted from the standard fire insurance policy. 31 MLR 57.