

Commissioner shall have notified a company of his disapproval, it shall be unlawful for that company to issue or use the contract, application or certificate in the form so disapproved.

Sec. 7. [61.68] **Foreign companies.** Subject to the provisions of this act and to the provisions of said chapter 80, any foreign life insurance company which has a certificate of authority to do business in this state and which has been authorized by the laws of its state of domicile to issue contracts on a variable basis may issue such contracts in this state on the same basis permitted domestic companies provided that it has satisfied the Commissioner that its financial condition and methods of operation will not be prejudicial to residents of this state.

Sec. 8. [61.69] **Amount of benefits.** That portion of Minnesota Statutes 1961, Section 61.01, which requires that certain contracts distinctly specify the amount of benefits shall not apply to contracts on a variable basis.

Sec. 9. [61.70] **Group contracts.** A group contract on a variable basis (1) which meets the requirements of the Federal Internal Revenue Code of 1954, as amended, for qualification of a pension, profit-sharing, or annuity plan and (2) which does not permit the allocation to a separate account of any payment or contribution made by an employee and (3) which covers at least twenty-five employees at the time of its execution and (4) under which the promised payments are in fixed-dollar amounts shall be exempt from the requirement of registration pursuant to the provisions of said chapter 80, and the sale thereof shall be exempt from the licensing requirements of said chapter 80.

Sec. 10. [61.71] **Rules and regulations.** The commissioner and the commission may issue such rules and regulations as may be necessary to carry out the purposes of this act.

Approved May 6, 1963.

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#### CHAPTER 549—S. F. No. 433

*An act relating to the liability of consolidated school districts for bonds of pre-existing school districts included therein, and the authorization and issuance of bonds by consolidated school districts, before or after the effective date of the consolidation for other purposes, including bonds authorized by the electors of pre-existing school districts included therein; amending Minnesota Statutes 1961, Section 122.23, Subdivision 16.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

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

Section 1. Minnesota Statutes 1961, Section 122.23, Subdivision 16, is amended to read:

**Subd. 16. School districts; consolidation; liability for bonds.** As of the effective date of the consolidation, all the taxable property in the newly created district is taxable for the payment of any bonded debt theretofore incurred by any component district in the proportion which the assessed valuation of that part of a pre-existing district which is included in the newly created district bears to the assessed valuation of the entire pre-existing district as of the time of the consolidation. This apportionment shall be made by the county auditor and shall be incorporated as an annex to the order of the county board dividing the assets and liabilities of the component parts. This subdivision shall not relieve any property from any tax liability for payment of any bonded obligation but taxable property in the newly created district becomes primarily liable for the payment of bonded debts to the extent of the proportion stated. *The board of the newly created district, when constituted as provided in subdivision 17, may provide for an election of that district on the issuance of bonds, and may issue and sell bonds authorized at such an election, or bonds authorized at an election previously held in any pre-existing district wholly included within the newly created district, or bonds for a purpose for which an election is not required by law. Such actions may be taken at any time after the date of the county superintendent's order issued under subdivision 13, and before or after the date upon which the consolidation becomes effective for other purposes, and taxes for the payment of any such bonds shall be levied upon all taxable property in the newly created district; except that no bonds shall be delivered to purchasers until 30 days after the date of the county superintendent's order. If within this period a notice of appeal from the county superintendent's order to the district court is filed in accordance with section 127.25, no bonds shall be delivered by the newly created district to purchasers until and unless the superintendent's order is affirmed by final order of the district court in such special proceeding, and a period of 30 days from the service of such final order expires without an appeal to the supreme court being commenced or, if an appeal is taken, the order is affirmed by the supreme court; except that if all of the territory of one and only one independent district maintaining a secondary school is included in the newly created district, and if the assessed valuation of taxable property in such territory comprises 90 percent or more of the assessed valuation of all taxable property in the newly created district, the board may issue, sell, and deliver any bonds voted by the pre-existing independent district and any bonds voted or otherwise authorized by*

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*the newly created district, notwithstanding the pendency of any such appeal, and such bonds shall be paid by the levy of taxes upon the property within the territory of the pre-existing independent district and within such other areas, if any, as may be finally determined to be properly included within the newly created district. In any election held in the newly created district as authorized in the preceding sentence, all qualified electors residing within the area of that district as defined in the county superintendent's order shall be entitled to vote, but the votes cast by residents of former districts or portions of former districts included in such area, other than the independent district maintaining the secondary school, shall be received and counted separately; and the bonds shall not be issued and sold unless authorized by a majority of the votes cast thereon by electors of the independent district maintaining the secondary school, and also by a majority of the votes cast thereon by electors residing within the entire area of the newly created district.*

Approved May 7, 1963.

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CHAPTER 550—S. F. No. 627

*An act relating to certain provisions of Minnesota Statutes; providing for their conformance with certain provisions of the uniform code of military justice; amending Minnesota Statutes 1961, Sections 190.04, 192.61, 192.66, 192.67, and 192.68; repealing Minnesota Statutes 1961, Sections 192.72 and 192.86.*

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

Section 1. Minnesota Statutes 1961, Section 190.04, is amended to read:

190.04. **Armed forces; code of military justice.** All matters relating to the organization, discipline and government of the military forces not otherwise provided for in the military code shall be decided by the custom, regulations and usage of the ~~United States Army~~ *armed forces of the United States.*

Sec. 2. Minnesota Statutes 1961, Section 192.61, is amended to read:

192.61 **Forms, practice, procedure.** The forms, practice, and procedure of courts of inquiry, and courts martial shall conform to the procedure of similar courts in the ~~army of the United States~~ *armed forces of the United States.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**