

the value of the shares at the time the merger or consolidation was authorized, such value shall be ascertained by three disinterested persons, one of whom shall be named by the shareholder, another by the insurance corporation and the third by the two thus chosen. The finding of the appraisers shall be final, and if their award is not paid by the insurance corporation within 30 days after it is made, it may be recovered in an action by the shareholder against the insurance corporation. The liability of the insurance corporation to the dissenting shareholder for the value of his shares so agreed upon or awarded shall also be a liability of the surviving or new insurance corporation, as the case may be. Upon payment by the insurance corporation or by the surviving or new corporation to the shareholder of the agreed or awarded price of his shares, the shareholder shall forthwith transfer and assign the shares held by him at, and in accordance with, the request of the corporation.

Subd. 3. A shareholder shall not be entitled to payment for his shares under the provisions of this section unless the value of the corporate assets which would remain after such payment would be at least equal to the aggregate amount of its debts and liabilities including outstanding capital stock.

[60.587] **Not to include certain other companies.** Sec. 7. Nothing contained in this act shall preclude companies organized under the laws of this state to do the business of life, accident or health insurance either on the stock, mutual, stock and mutual, stipulated premium, assessment or fraternal plan from electing to consolidate with any other company, foreign or domestic, or from reinsuring its risks or any part thereof with any other company, or reinsuring its risks or the whole of or any portion of the risks of any other company as provided in Sections 60.55 to 60.58.

Approved April 10, 1947.

CHAPTER 295—S. F. No. 1102
[Section 2 Coded as Section 60.291]

An act relating to insurance and amending Minnesota Statutes 1945, Section 60.29.

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

Section 1. Minnesota Statutes 1945, Section 60.29, is amended to read as follows:

60.29. Capital stock required; business which may be transacted. Subdivision 1. Scope. Insurance corporations shall be authorized to transact in any state or territory in the United States, in the Dominion of Canada, and in foreign countries, when specified in their charters or certificates of incorporation, either as originally granted or as thereafter amended, any of the following kinds of business, upon the stock plan, or upon the mutual plan when the formation of such mutual companies is otherwise authorized by law:

(1) To insure against loss or damage to property on land and against loss of rents and rental values, leaseholds of buildings, use and occupancy and direct or consequential loss or damage caused by fire, *smoke or smudge, water or other fluid or substance, lightning, windstorm, tornado, cyclone, earthquake, collapse and slippage, rain, hail, frost, snow, freeze, change of temperature, weather or climatic conditions, excess or deficiency of moisture, floods, the rising of waters, oceans, lakes, rivers or their tributaries, bombardment, invasion, insurrection, riot, civil war or commotion, military or usurped power, electrical power interruption or electrical breakdown from any cause, railroad equipment, motor vehicles or aircraft, accidental injury to sprinklers, pumps, conduits or containers or other apparatus erected for extinguishing fires, explosion, whether fire ensues or not, except explosions on risks specified in subdivision 1, clause (3); provided, however, that there may be insured hereunder the following: (a) explosion of any kind originating outside the insured building or outside of the building containing the property insured, and (b) explosion of pressure vessels which do not contain steam or which are not operated with steam coils or steam jackets;*

(2) To insure vessels, freight, goods, wares, merchandise, specie, bullion, jewels, profits, commissions, bank notes, bills of exchange, and other evidences of debt, bottomry and respondentia interest, and every insurance appertaining to or connected with marine risks of transportation and navigation, including the risks of lake, river, canal and inland transportation and navigation *and including all personal property floater risks and inland marine risks;*

(3) To insure steam boilers and pipes, flywheels, engines and machinery connected therewith or operated thereby, against explosion and accident, and against loss or damage to persons or property resulting therefrom,

and against loss of use and occupancy caused thereby; and to make inspection of and to issue certificates of inspection upon such boilers, pipes, flywheels, engines, and machinery;

(4) To make contracts of life and endowment insurance, to grant, purchase, or dispose of annuities or endowments of any kind, and to insure against accidents to or sickness of the assured;

(5) To insure against loss or damage by the sickness, bodily injury or death by accident of the assured, or of any other person employed by or for whose injury or death the assured is responsible;

(6) To guarantee the fidelity of persons in fiduciary positions, public or private, or to act as surety on official and other bonds, and for the performance of official or other obligations;

(7) To insure owners and others interested in real estate against loss or damage, by reason of defective titles, encumbrances, or otherwise;

(8) To insure against loss or damage by breakage of glass, located or in transit;

(9) To insure against loss by burglary, theft, or forgery; *to insure against loss of or damage to moneys, coins, bullion, securities, notes, drafts, acceptances or any other valuable paper or document, resulting from any cause, except while in the custody or possession of and being transported by any carrier for hire or in the mail; to insure individuals by means of an all risk type of policy commonly known as the "Personal Property Floater" against any kind and all kinds of loss of or damage to, or loss of use of, any personal property other than merchandise;*

(10) To insure against loss from death of domestic animals and to furnish veterinary service;

(11) To guarantee merchants and those engaged in business, and giving credit, from loss by reason of giving credit to those dealing with him; this shall be known as credit insurance;

(12) To insure against loss or damage to automobiles or other vehicles *or aircraft* and their contents, by collision, fire, burglary, or theft, and other perils of operation, and against liability for damage to persons, or property of others, by collision with such vehicles *or aircraft*, and to insure against any loss or hazard incident to the ownership, operation, or use of motor or other vehicles *or aircraft*;

(13) To insure against liability for loss or damage to the property *or person* of another caused by the insured or by those for whom the insured is responsible;

(14) To insure against any loss or damage resulting from accident or injury suffered by any person, occurring in the practice of medicine, or surgery or in the dispensing of drugs or medicine, for which loss or damage the insured may be legally liable;

(15) To make contracts providing that upon the death of the assured a funeral benefit will be paid in money, the aggregate amount of which shall not exceed \$150.00 upon any one life; provided, that any corporation that has been licensed to do business for three successive years may make contracts not to exceed \$300.00 upon any one life; provided, that any corporation licensed under this chapter, which now or hereafter has paid-up capital of \$15,000, and maintains with the commissioner a deposit of \$15,000, may make life insurance contracts not to exceed \$600.00 on any one life and with or without indemnity for total and permanent disability such as are usually contained in life insurance contracts; no such insurance company shall be operated, directly or indirectly, in affiliation or connection with any funeral director or undertaking establishment, or contract, by assignment or otherwise, to pay such insurance or its benefits, or any part of either, to any funeral director or undertaking establishment predetermined or designated by it, so as to deprive the family or representatives of the deceased policyholder from, or in any way to control them in, obtaining for his funeral and burial, funeral services and supplies in the open market; and, nothing herein contained shall apply, nor shall it be construed to apply, in any way to any cooperative burial association.

Subd. 2. Paid-up capital stock requirements. The paid-up capital stock of every corporation authorized to transact the kinds of business enumerated in subdivision 1, clauses (1) to (15), shall not be less than specified below:

Clause (1),	\$100,000;
Clause (2),	\$100,000;
Clause (3),	\$100,000;
Clause (4),	\$100,000;
Clause (5),	\$100,000;
Clause (6),	\$250,000, and a surplus constantly maintained of at least \$50,000;

Clause (7),	\$200,000;
Clause (8),	\$100,000;
Clause (9),	\$100,000;
Clause (10),	\$100,000;
Clause (11),	\$100,000;
Clause (12),	\$100,000;
Clause (13),	\$100,000;
Clause (14),	\$100,000;
Clause (15),	\$ 10,000.

Subd. 3. Legal reserve requirements. Companies organized to transact business specified in clause (15) of subdivision 1 shall be subject to all the provisions of law relating to legal reserve life insurance companies, except that the deposit with the commissioner of insurance shall be \$10,000 and that such company shall have secured at least 100 applications, upon 100 separate lives, for insurance aggregating at least \$10,000. Such companies shall issue only non-participating policies, which shall be construed as industrial policies.

Subd. 4. Certain companies authorized to transact certain insurance business. Any *insurance* corporation having a paid-up capital stock of not less than \$200,000, and a surplus of not less than \$50,000 constantly maintained, may, when authorized by its articles of incorporation, transact any or all of the kinds of business specified in clauses (1) to (15) of subdivision 1, excepting those specified in clauses (1), (2), (4), (6) and (15).

Any *insurance* corporation having paid-up capital stock of not less than \$200,000 may transact the kinds of business specified in clauses (1), (2), and (12).

Any *insurance* corporation having a paid-up capital stock of not less than \$200,000 and authorized to transact the kinds of business specified in clause (4) may also transact the kinds of business specified in clause (5).

Any *insurance* corporation having a paid-up capital stock of not less than \$250,000, and a surplus of not less than \$50,000 constantly maintained, when authorized to transact the kinds of business specified in clause (6) may also transact the kinds of business specified in clauses (3), (5), (7), (8), (9), (10), (11), (12), (13), and (14).

Any *insurance* corporation having a surplus as regards policy-holders of not less than \$750,000 constantly maintained may, when authorized by its articles of incorporation, trans-

act any or all of the kinds of business specified in clauses (1), (2), (3), (5), (6), (8), (9), (10), (11), (12), (13), and (14).

[60.291] **Limitation on Section 60.29.** Sec. 2. Nothing contained in Sections 65.05 and 65.06 of Minnesota Statutes 1945 shall be construed to preclude insurance against the cost, in excess of actual cash value at the time any loss or damage occurs, of actually repairing, rebuilding or replacing the insured property.

Approved April 10, 1947.

CHAPTER 296—H. F. No. 253

An act relating to public indebtedness; revising and clarifying Minnesota Statutes 1945, Sections 475.03 and 475.04; amending Minnesota Statutes 1945, Sections 475.01, 475.07, 475.14, 475.23; and repealing Minnesota Statutes 1945, Sections 475.05, 475.06, 475.09, 475.091, 475.10.

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

Section 1. Minnesota Statutes 1945, Section 475.01, is amended to read as follows:

475.01. **Scope.** The provisions of chapters 475 to 477 are not to be construed as relating to the debt of the state or to current and ordinary public expenses, but only to the authorized indebtedness, payable with interest at future and stated times, of cities, villages, boroughs, counties, towns, and school districts.

Sec. 2. Minnesota Statutes 1945, Sections 475.03 and 475.04, are revised and clarified to read as follows:

475.03. **Definitions.** *Subdivision 1.* For the purposes of this chapter, unless a different meaning is indicated by the context, the words, terms, and phrases defined in this section shall have the meanings given them.

Subd. 2. "Municipal corporation," "corporation," and "municipality" mean any city of any class, village, borough, county, town, or school district however organized.

Subd. 3. "Obligation" means any bond, certificate of indebtedness, warrant or order authorized by law issued by a