

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.

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~~.

Sec. 3. Minnesota Statutes 1961, Section 192.66, is amended to read:

192.66 **Desertion.** Desertion in the military forces shall be as defined in the ~~regulations made by the federal government for the government of the National Guard~~ *Minnesota code of military justice*. But if any soldier is known to have removed from the state, and, through ignorance or neglect, has failed to apply for discharge, his discharge may be requested by his immediate commanding officer.

Sec. 4. Minnesota Statutes 1961, Section 192.67, is amended to read:

192.67 **Offenders; transfer to civil authorities.** When any felony is committed by any officer or ~~soldier~~ *enlisted person* of the military forces while on duty *status other than active state duty*, he shall be turned over by his superior officers to the proper civil authorities of the county or municipality in which the offense occurred for punishment for such crime, but such trial and punishment by the civil authorities shall not preclude trial and additional punishment or dismissal from the service by court martial for any military offense resulting from the commission of said crime.

Sec. 5. Minnesota Statutes 1961, Section 192.68, is amended to read:

192.68 **Courts, compensation; disposition of fines.** *Sub-division 1.* Members of general and special courts martial and courts of inquiry shall be allowed transportation in kind, and per diem pay as per military grade for time actually employed in the duties assigned them. Transportation in kind shall be furnished to all prosecutors, prisoners, witnesses, sheriffs, and constables, to and from the place or places designated for meetings of these courts. The per diem pay of military and civilian witnesses shall be the same as in civil courts of law, and be paid by the adjutant general out of the appropriation for the maintenance of the national guard.

Subd. 2. *The proceeds of all fines in summary, general, and special court martial cases shall be paid to the adjutant general and paid into the maintenance fund of the national guard, and all costs of prosecution shall be paid out of the same fund.*

Subd. 3. *Civil officers and guardsmen executing the warrants or process of a military court shall receive as compensation therefor the fees allowed by law for like service in the civil courts, which fees are to be taxed by such court and, in summary cases, paid out of the military fund of the company of which the accused is a member. All fees and expenses of trial in general and special courts martial*

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

cases and the fees of jailors in all cases for the keep of prisoners shall be paid by the adjutant general out of the funds appropriated for the maintenance of the national guard. No fees shall be allowed or paid to such officers unless an itemized statement thereof is endorsed on and forthwith returned with such warrant or process to the court issuing the same.

Sec. 6. *Minnesota Statutes 1961, Sections 192.72 and 192.86, are hereby repealed.*

Sec. 7. **Effective date.** *This act will take effect on January 1 following its final enactment in order that the effective date may conform with the effective date of the uniform code of military justice.*

Approved May 7, 1963.

CHAPTER 551—S. F. No. 728

An act appropriating money for the state compensation revolving fund; amending Minnesota Statutes 1961, Section 176.611, Subdivision 5.

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

Section 1. Minnesota Statutes 1961, Section 176.611, Subdivision 5, is amended to read:

Subd. 5. **Workmen's compensation; state revolving fund; appropriation.** There is hereby appropriated from the general revenue fund in the state treasury to the state compensation revolving fund the sum of ~~\$50,000~~ *\$350,000* to be used in connection with the payment of workmen's compensation claims of employees of the state, which, with the sum of \$74,013.12 heretofore appropriated from the trunk highway fund of the department of highways in the state treasury to the state compensation revolving fund to be used in connection with the payment of workmen's compensation claims of employees of the department of highways together with ~~\$525,986.88~~ *\$575,986.88* heretofore appropriated, totals ~~\$650,000~~ *\$1,000,000*, the latter sum to constitute the state compensation revolving fund and to be used and maintained as herein provided.

Approved May 7, 1963.

Changes or additions indicated by italics, deletions by strikeout.