

## CHAPTER 302—S. F. No. 1432

*An act relating to procedure after Commissioner of Banks has given notice to bank to make up deficiency in capital or pay up capital stock.*

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

Section 1. **Procedure to make up deficiency**—The directors of any bank or trust company receiving notice from the Commissioner of Banks to make good an impairment of capital shall fix the time when the assessment made at the stockholders' meeting shall become due and payable, which time shall be not less than 15 days nor more than 30 days after such assessment is levied. Notice of such assessment shall be mailed to each stockholder at his office address as shown by the stock books of such bank or trust company.

If any stockholder shall fail to pay in cash the amount of the assessment against his stock for a period of 30 days after the same shall become due and payable, the directors of said bank or trust company shall sell the same at public sale upon 10 days notice, to be given by posting copies of such notice of sale in three public places in the city, town or community where such bank or trust company is located, or at private sale, after giving the stockholder 10 days written notice by registered mail addressed to his post office address as shown by the stock books of such bank or trust company.

Upon sale of any stock as herein provided, the purchaser shall forthwith become liable for and shall pay in cash the amount of the assessment thereon.

Approved April 18, 1939.

## CHAPTER 303—H. F. No. 117

*An act to provide for the payment to the state of an annual tax for cooperative associations conducting electric heat, light or power business in lieu of certain taxes and for the distribution of such tax.*

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

Section 1. **Annual tax on co-operative associations.**—Co-operative associations organized under the provisions of Laws of 1923, Chapter 326, and laws amendatory thereof and supplemental thereto and engaged in electrical heat, light or

power business upon a mutual, non-profit and co-operative plan in rural areas as hereinafter defined, are hereby recognized as quasi-public in their nature and purposes.

**Sec. 2. Definitions.**—As used in this chapter, the term “rural area” shall be deemed to mean any area of the state of Minnesota not included within the boundaries of any incorporated city, village or borough and such term shall be deemed to include both farm and non-farm population thereof.

**Sec. 3. Amount of tax.**—There is hereby imposed upon each such co-operative association on December 31 of each year, a tax of \$10.00 for each 100 members or fraction thereof of such association. The tax, when paid, shall be in lieu of all personal property taxes, state, county or local, upon distribution lines and the attachments and appurtenances thereto of such associations located in rural areas. The tax shall be payable on or before March 1 of the next succeeding year, to the Tax Commission who shall retain five percent of the proceeds of such tax for expenses of administration and shall distribute the balance thereof on or before July 1 of each year to the treasurers of the respective counties of the state in proportion to the number of members of such associations in the several counties as of December 31 of the preceding year, as determined by reports of such associations made and verified in such manner and on such forms as may be prescribed by the Tax Commission. The moneys so distributed to the respective counties shall be credited by the treasurers thereof, one-half to the general revenue fund and one-half to the general school fund of the county.

Approved April 18, 1939.

---

#### CHAPTER 304—S. F. No. 705

*An act relating to police pension funds in villages now or hereafter having a population of over 5,000 inhabitants, and having an assessed valuation of more than \$3,000,000 exclusive of money or credits.*

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

**Section 1. Police pensions in certain villages.**—The 1938 Supplement to Mason’s Minnesota Statutes of 1927, Section 1264-11, is hereby amended so as to read as follows: