

posed of the Commissioner of Agriculture, Dairy and Food, the President of the Minnesota Crop Improvement Association, and the Director of the Minnesota Agricultural Experiment Station.

Approved March 25, 1955.

CHAPTER 222—H. F. No. 506

An act relating to cooperative associations; amending Minnesota Statutes 1953, Sections 308.05, 308.06, 308.062, Subdivision 1, 308.07, 308.09, Subdivision 1, 308.12, 308.14, 308.15, and Section 80.06.

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

Section 1. Minnesota Statutes 1953, Section 308.05, is amended to read:

308.05 Formation. *Subdivision 1.* A cooperative association may be formed for the purpose of conducting any agricultural, dairy, marketing, transportation, warehousing, commission, contracting, building, mining, telephone, manufacturing, or any mechanical, mercantile or electrical heat, light or power business, or for all such purposes or for any other lawful purpose, upon the cooperative plan; and, in addition to other powers, such cooperative association shall have the power, either as agent or otherwise, to buy, sell, or deal in its own products, the products of its individual members or patrons, the products of any other cooperative association or of its members or patrons. It shall be lawful for such cooperative association to sell its own products, as well as the products of its members or patrons for them, or the products of any other cooperative association or of its members or patrons for them, as the case may be, either individually or collectively, and to negotiate the price at which such products may be sold either for itself or for its members or patrons, or such other cooperative association and its members or patrons, individually or collectively, as the case may be; also to enter into or become a party to any contract or agreement either for itself or for its individual members or patrons, or between it and its member. For the purposes above stated such cooperative association shall have the power and authority as a corporation, to purchase and hold, lease, mortgage, encumber, sell, exchange, and convey such real estate, buildings, and personal property as the business of the association may require, also to erect buildings or other structures or facilities upon its own lands or leased grounds, or upon right of way legally

acquired by such cooperative association. Such cooperative association shall have the power and authority to issue bonds or other evidence of indebtedness and to borrow money to finance the business of the association, or to make advances to its members or patrons upon produce delivered by such members or patrons to the association. For the purpose of empowering and authorizing cooperative associations incorporated under the provisions of sections 308.05 to 308.18 to join with other cooperative associations in this state or other states, whether incorporated under those sections or under the laws of any other state, to form district, state, or national organizations or market agencies, any cooperative association incorporated under those sections, by vote of the governing board thereof may purchase, acquire, hold, or dispose of the stock of any other cooperative association or corporation, whether incorporated under those sections or under the laws of any other state, and assume all rights, interests, privileges, responsibilities, and obligations arising out of the ownership of such stock. A cooperative association incorporated under those sections shall also have the power and authority, either for itself or for its individual members or patrons, to do and perform every act and thing necessary or proper to the conduct of its business or the accomplishment of the purposes set forth in those sections; and, in addition, any other rights, powers, or privileges granted by the laws of this state to ordinary corporations, except such as are inconsistent with the expressed provisions of those sections.

Subd. 2. A cooperative association incorporated under sections 308.05 to 308.18, constituted wholly or partially of other cooperative associations organized under those sections or under the laws of this or any other state, shall have the power to accept deposits of money or securities from such cooperative associations, to loan or borrow upon such security as it may consider sufficient in dealing with its member cooperatives and to exercise any and all fiduciary powers in its relations with such cooperatives as constitute its membership.

Subd. 3. No corporation or association hereafter organized in this state shall be entitled or permitted to use the term "cooperative" as part of its corporate or business name or title, or to represent itself as a cooperative association, unless it has complied with the provisions of sections 308.05 to 308.18, or any other law of this state now existing or hereafter enacted providing for the incorporation of cooperative associations. Any corporation or association which violates this provision shall be guilty of a misdemeanor.

Subd. 4. *Minnesota Statutes 1953, Sections 22.18 and*

22.28 shall apply to marketing contracts of associations organized under sections 308.05 to 308.18.

Sec. 2. Minnesota Statutes 1953, Section 308.06, is amended to read:

308.06. Incorporation, duration. *Subdivision 1.* A cooperative association may be organized under the provisions of sections 308.05 to 308.18 by five or more incorporators, who may act for themselves as individuals or as the agents of other cooperative associations, whether organized under sections 308.05 to 308.18 or otherwise.

Subd. 2. Persons forming a cooperative association under sections 308.05 to 308.18 shall sign and acknowledge written articles of incorporation. The articles of incorporation of any association organized under or subject to the provisions hereof shall always contain provisions specifying (1) the name of the association, its purpose, the general nature of its business, and the principal place of transacting the same. Such name shall distinguish it from all other corporations, domestic or foreign, doing business in the state and shall be preserved to it during its corporate existence; (2) the period of its duration, which may be limited or perpetual; (3) if organized on a capital stock basis the total authorized number of shares and the par value of each share; a description of the classes of shares, if the shares are to be classified; a statement of the number of shares in each class and relative rights, preferences, and restrictions granted to or imposed upon the shares of each class, and a provision that only common stockholders shall have voting power; (4) that individuals owning common stock shall be restricted to one vote in the affairs of the association; (5) that shares of stock shall be transferable only with the approval of the board of directors of the association; (6) that dividends upon capital stock of the association shall not exceed six percent annually; (7) in what governing board its management shall be vested and the names and places of residence of those who shall compose such governing board until the first annual meeting of the stockholders; and (8) that net income in excess of dividends and additions to reserves shall be distributed on the basis of patronage, and that the records of the association may show the interest of patrons, stockholders of *any classes* and members in the reserves. The articles of incorporation may contain any other lawful provision. Cooperative associations may be incorporated for any of the purposes for which an association may also be formed upon a membership basis and without capital stock. Such associations organized on a capital stock basis may be organized, and shall have the same powers and

authority as are conferred upon such associations, and the articles of incorporation of any such non-stock associations shall contain the provisions required in the articles of incorporation of an association organized upon a capital stock basis whenever the same are applicable to an association organized upon a membership basis. No member of an association organized upon a membership basis shall have more than one vote. *Holders of shares of common stock which entitle the holder thereof to vote, shall be deemed to be members of associations organized on a capital stock basis. As used in sections 308.05 to 308.18, "stockholder," unless otherwise specified, means and includes only a holder of a share of common stock which entitles the holder thereof to vote.*

Subd. 3. Cooperative associations organized under or subject to the provisions hereof shall be subject to the provisions of Chapter 80, except as specifically provided in section 80.05.

Subd. 4. The original articles of incorporation, or a certified copy thereof, verified as such by the affidavits of two of the incorporators, shall be filed with the secretary of state and a copy thereof, certified as above required, shall be recorded in the office of the register of deeds of the county in which the principal place of business of the association is located. For filing the articles of incorporation, or amendments thereto, with the secretary of state there shall be paid to the state treasurer a fee of \$5.

Sec. 3. Minnesota Statutes 1953, Section 308.062, Subdivision 1, is amended to read:

308.062 Corporate existence, renewal. Subdivision 1. *In any case where the period of duration of corporate existence of any cooperative corporation organized under the laws of this state, or a corporation organized under any law of this state which has conducted its business upon the cooperative plan, has expired or hereafter expires and such corporation thereafter continues in good faith to carry on and transact business, it may at any time thereafter renew its corporate existence by amending its articles of incorporation so as to comply with the provisions of Minnesota Statutes 1949, Sections 308.05 to 308.18; as amended, which amended articles shall include a provision extending its corporate duration for a limited period or making its corporate existence perpetual. This section shall not affect any pending litigation, nor apply to any corporation whose charter has been declared forfeited by any court of competent jurisdiction in this state.*

Sec. 4. Minnesota Statutes 1953, Section 308.07, is amended to read:

308.07 Capital, limits of interest, vote. *Subdivision 1.* The amount of the authorized capital stock, the number of shares, or the par value thereof may be increased or diminished, or the classes of stock may be established or altered, at any regular meeting of the stockholders of the association or at any special meeting of the stockholders called for any of such purposes, in the manner hereinafter provided for amending the articles of incorporation.

Subd. 2. The association may commence business whenever ten percent of the authorized capital stock has been subscribed and paid in and the amount of the capital stock outstanding shall at no time be diminished below ten percent of the amount of the authorized capital. No shares shall be issued for less than its par value nor until the same has been paid for in cash or its equivalent.

Subd. 3. Any cooperative association organized under sections 308.05 to 308.18 may acquire and hold stock in any other corporation organized under any law of this state or of any other state of the United States, the purpose of which may be a federation of cooperative associations or for the purpose of forming a district, state, or national marketing, sales, or service agency or for the purpose of acquiring marketing facilities at terminal or other markets in this state or other states. A stockholder in any cooperative association organized under those sections shall not be entitled to more than one vote which shall be in person, or by mail, as hereinafter provided, and not by proxy, except that any such cooperative association which holds stock in any other corporations shall have the power and authority, by its board of directors or by its stockholders, to elect or appoint any person to represent it at any meeting of any corporation in which it owns stock and the person so elected or appointed shall have full power and authority to represent such cooperative association and also to cast its vote or votes at any such meeting.

Subd 4. In cooperative associations wholly or partially constituted of other cooperative associations organized under sections 308.05 to 308.18 or under the laws of this or any other state, each affiliated member cooperative shall have an additional vote for a certain stipulated volume of business done by it with its central organization or a certain stipulated number of members in such associations, to be determined in either or both cases by the articles and bylaws of the central association.

Subd. 5. Any cooperative association may group its members or stockholders in districts, local units or on such other basis as may be provided in the articles or bylaws of the association.

Subd. 6. Where district or other local units are so created, the bylaws may provide for the election of all or part of the directors upon a district or unit basis, in which event directors may be nominated, or nominated and elected, by the members of the district or unit from their own number, and directors so elected may be removed for cause only by the vote of the members of the district or unit from which they were elected. Nothing herein contained shall prevent any cooperative association from providing for the election and removal of directors in any other lawful manner.

Subd. 7. Each unit of a central association shall be entitled to be represented at any and all stockholders' meetings of the central association by delegates of their own choosing and such delegates shall exercise the same powers at such stockholders' meetings as any *stockholder* of the central association may exercise on such basis of voting rights as is provided for in the articles and bylaws of the central association pertaining to such *stockholders*.

Subd. 8. The directors of the central association shall have the power to do all things necessary to give full force and effect to this section including the power to fix the time and place and rules of conduct for the holdings of meetings by such units for the purpose of their electing a delegate or delegates to all stockholders' meetings of the central association.

Subd. 9. Stock in any cooperative association organized under sections 308.05 to 308.18 shall be sold or transferred only with the consent and approval of the board of directors, and the bylaws of such cooperative association shall provide that it shall have the first privilege of purchasing stock offered for sale by a stockholder of *any class*. Any stock so acquired by the board of directors for such cooperative association may be held as treasury stock or may be retired and cancelled. Any stockholder of *any class* who knowingly, intentionally, or repeatedly violates a provision of the bylaws adopted by any cooperative association organized under those sections may be required by the board of directors of the cooperative association to *surrender* stock of *any class owned by him*, in which case the association shall refund to *such* stockholder the par value or the book value of such stock *whichever is lesser*. Stock so *required to be surrendered* shall be retired and cancelled by the board of directors.

Subd. 10. Any stockholder who is absent from any meeting of the stockholders of any association organized under the provisions of those sections may, as herein provided but not otherwise, vote by mail on the ballot herein prescribed upon any motion, resolution, or amendment *which the board of directors may in its discretion submit to the stockholders for vote by them.* Such ballot may be in the form prescribed by the board of directors of such association and shall contain the exact text of the proposed motion, resolution, or amendment to be acted upon at such meeting and the date of the meeting; and shall also contain spaces opposite the text of such motion, resolution, or amendment in which such stockholder shall express his choice by marking an "X" in the appropriate space upon such ballot. Such ballot shall be signed by the stockholder, and when received the association holding the meeting, shall be accepted and counted as the vote of such absent stockholder at such meeting.

Sec. 5. Minnesota Statutes 1953, Section 308.09, Subdivision 1, is amended to read:

308.09 Stockholders, regular and special meetings.
Subdivision 1. **Notice.** Regular meetings of the stockholders of cooperative associations organized under sections 308.05 to 308.18 shall be held annually *at such time as may be determined by the board of directors of the association, unless otherwise provided for in its articles of incorporation or bylaws, and* at the principal place of business of the association, or at any other place conveniently located within the area served by it, or, in the case of cooperative associations wholly or partially constituted of other cooperative associations organized under the laws of, or doing business in, any other state, at such place within or without the state, as may be designated in the notice of the meeting. At such annual meeting reports covering the business of the association for the previous fiscal year and showing the condition of the association at the close of the fiscal year shall be submitted to the stockholders by the officers, and directors shall be elected for such terms of office as shall be prescribed in the bylaws of the association. The secretary of the association shall give notice of such meeting, by publication in a legal newspaper published in the county of the principal place of business of the association, at least two weeks previous to the date of the meeting, or by mailing notice thereof to each and every member personally, or, in case of an association, to the secretary thereof, at his last known postoffice address, not less than 15 days previous to the date of the meeting.

Sec. 6. Minnesota Statutes 1953, Section 308.12 is amended to read:

308.12. Earnings, reserve fund; distribution. *Subdivision 1.* An association organized under sections 308.05 to 308.18 may set aside such part of its net income during its first two fiscal years as its board of directors deems advisable, for the purpose of creating a capital reserve, and annually thereafter its board of directors shall set aside for the purpose of such reserve at least ten percent of the annual net income until the capital reserve shall equal 50 percent of the paid-up capital *stock*, and thereafter the capital reserve may be increased from time to time by the board of directors of the association to such an amount as it deems advisable. In addition to such capital reserve the directors of any such association may set aside a sum not to exceed five percent of the annual net income of the association, which shall be used for the purposes of promoting and encouraging cooperative organization, and may establish and accumulate reserves for new buildings, machinery and equipment, depreciation, losses, and other proper purposes. Net income in excess of dividends on capital stock and additions to reserves shall be distributed on the basis of patronage. The stockholders may provide in the bylaws of the association that non-member patrons shall participate in the distribution of net income upon equal terms with member patrons. If the patron is qualified and eligible for membership, the amount of patronage refund due him shall be credited to his individual account, and when such credits shall equal the value of a share of common stock *which entitles the holder thereof to vote*, or a membership, a share of such stock or a membership shall be issued to him. If the patron is not qualified or eligible for membership, the refund due him may be credited to his individual account, and when such credits shall equal the value of a share of *common stock which does not entitle the holder thereof to vote or preferred stock or a certificate of interest a share of such stock or a certificate of interest* may be issued to him, and thereafter such patron may participate in the distribution of income upon the same basis as a stockholder or member.

Subd. 2. Distribution of net income shall be made annually or oftener. Net income of a cooperative association arising from trucking operations shall be distributed only annually. The directors of such association shall present to the stockholders at their annual meeting a report covering the operations of the association during the preceding fiscal year.

Subd. 3. Dividends may be paid on capital stock only when the net income of the association for the previous fiscal year is sufficient and shall not be cumulative.

Subd. 4. An association subject to the provisions of

sections 308.05 to 308.18 may distribute net income in cash, credits, revolving fund certificates, or its own or other securities.

Sec. 7. Minnesota Statutes 1953, Section 308.14, is amended to read:

308.14 Associations, manner of complying with law.
Subdivision 1. Any cooperative corporation or association heretofore organized and doing business under prior statutes of this state, or under the laws of other states, or which has conducted its business upon the cooperative plan, may come under the provisions of sections 308.05 to 308.18 and be bound thereby upon amending its articles of incorporation to conform to the requirements of those sections in the manner hereinafter provided for the adoption of amendments. Cooperative associations organized under the laws of other states shall be required to amend their articles of incorporation, in the manner required by the laws of the state in which such association was incorporated, so as to comply with the provisions of those sections, whereupon it shall be entitled to file a certified copy of its articles of incorporation and amendments thereto with the secretary of state, subject to the fees and requirements prescribed by those sections, and such association shall henceforth be considered as a cooperative association in this state and subject to the provision of those sections. Any cooperative association originally organized under the laws of another state, which has heretofore complied with the provisions of this section, and received a certificate of incorporation from the secretary of state, shall be, and it hereby is declared to be a de jure corporation under the provisions of those sections without any further act by it or any officer of this state.

Subd. 2. Voluntary proceedings for dissolution of any association organized under or subject to the provisions of sections 308.05 to 308.18 or any other law of Minnesota relating to the organization of cooperative associations may be instituted whenever a resolution therefor is adopted by two-thirds of the voting power voting thereon at a meeting duly called for that purpose. The resolution may provide that the affairs of the association shall be wound up out of court, in which case the resolution shall designate a trustee or trustees to conduct the winding up, and may provide a method for filling vacancies in the office of trustee; but such appointment shall not be operative until a certificate setting forth the resolution and the manner of adoption thereof, signed and acknowledged by the president or vice-president and by the secretary or assistant secretary, shall be filed for record with the secretary of state. If a vacancy occurs in the office of trustee, it may be filled by

resolution adopted by a majority of the voting power represented at a meeting of stockholders or members. The meeting may be called by the remaining trustee or trustees, if any, and if none, then by any stockholder or member. Unless the resolution to dissolve otherwise provides, the trustee or trustees may be removed with or without cause by the vote of a majority of the voting power at a meeting called for that purpose. The resolution to dissolve may provide that the affairs of the corporation shall be wound up under the supervision of the court, in which case the resolution shall authorize certain directors or stockholders to sign and present a petition to the court praying that the corporation be wound up and dissolved under the supervision of the court. Where a corporation is being wound up and dissolved out of court, the trustee, or if there be more than one then a majority of the trustees, may by petition apply to the court for a receiver and to have the proceedings continued under the supervision of the court, and thereafter the proceedings shall continue as if originally instituted subject to the supervision of the court!

Subd. 3. Except as otherwise provided in the resolution for dissolution, the trustee or trustees appointed by the stockholders or members to conduct the winding up out of court shall, as speedily as practicable after the appointment has become operative, as hereinabove provided, proceed to collect all sums due or owing to the corporation; to sell and convert into cash all corporate assets; to collect any amounts remaining unpaid on subscriptions to shares, and to pay all debts and liabilities of the association according to their respective priorities. Any property remaining after discharging the debts and liabilities of the corporation shall be distributed by the trustee or trustees to the stockholders of the several classes according to their respective priorities, members, or patrons of the association. Stockholders of the several classes according to their respective priorities shall first be paid the par value of their shares, and the remainder of such property shall be distributed among patrons, members, and common stockholders in accordance with their interest in the reserves and surplus as shown by the records of the association.

Subd. 4. When an association has been completely wound up, the court, if the proceeding is subject to the supervision of the courts, shall make an order adjudging the association to be dissolved; and if the proceeding is out of court, the trustee or trustees shall sign and acknowledge a certificate stating that the association has been completely wound up and is dissolved.

Subd. 5. The order or certificate of dissolution shall be

filed for record with the secretary of state and thereupon the corporate existence shall terminate.

Subd. 6. The title to any assets omitted from the winding up shall vest in the trustee or trustees, or receiver or receivers, for the benefit of the persons entitled thereto and shall be administered and distributed accordingly.

Sec. 8. Minnesota Statutes 1953, Section 308.15, is amended to read:

308.15 Articles of incorporation, amendment. *Subdivision 1.* The articles of incorporation of any association under sections 308.05 to 308.18 or which may elect to come under the provisions of those sections may be amended in the following manner: The board of directors, by majority vote of its members may pass a resolution setting forth the full text of the proposed amendment. Upon such action by the board of directors, notice shall be mailed to each and every stockholder containing the full text of the proposed amendment. Such notice shall also designate the time and place of the meeting at which such proposed amendment shall be considered and voted upon, in the same manner as elsewhere provided in those sections. An association having in excess of 200 stockholders or members may publish such notice in two successive issues of a legal newspaper of general circulation in the area served by such association, in lieu of notice by mail. If a quorum of the stockholders is registered as being present or represented by mail vote at such meeting, a majority of the members so present or represented by mail vote, may adopt or reject such proposed amendment. After an amendment has been adopted by the stockholders, articles of amendment setting forth the amendment and the manner of adoption thereof shall be signed and acknowledged by the president or vice-president and by the secretary or assistant secretary, and filed in the office of the secretary of state and recorded in the office of the register of deeds of the county of its principal place of business.

Subd. 2. The bylaws of any cooperative association may be amended at any regular or special meeting at which a quorum is registered as being present or represented by mail vote, by a majority of the stockholders or members so present or represented by mail vote where the notice of any such meeting contains a summary statement of the proposed amendment.

Subd. 3. Articles of incorporation and of amendment shall be approved by the attorney general before the same are filed also in the office of the secretary of state.

Sec. 9. Minnesota Statutes 1953, Section 80.06, is amended to read:

80.06 Sales excepted. The provisions of sections 80.05 to 80.27, except as herein expressly provided shall not apply to sales of the following character:

(1) Any isolated sales of any securities by the issuer or owner thereof, or by a representative for the account of such issuer or owner, such sales not being made in the course of repeated and successive sales of securities of the same issue by such issuer or owner or by such representative for the account of such issuer or owner. This exception shall not be deemed to exempt a broker or a broker's agent for the requirement of obtaining a license as herein provided. In any complaint, information, or indictment charging a sale in violation of sections 80.05 to 80.27, it shall not be necessary to specifically name or identify persons, other than the complainant, to whom like sales have been made but it shall be sufficient to sustain the same upon demurrer or motion for dismissal before trial if it alleges that such sale was made in the course of repeated and successive sales of the same issue.

(2) Any sale of notes or bonds secured by a mortgage lien when the entire lien together with all notes or bonds secured thereby are sold to a single purchaser at a single sale.

(3) Any judicial sale, exchange, or issuance of securities made pursuant to an order of a court of competent jurisdiction in this state.

(4) The distribution by a corporation of its or other securities to its own security holders as a stock dividend or as a dividend from earnings or surplus or as a liquidating distribution.

(5) Any subscription for securities when no cash or other consideration is paid by, or agreed to be paid by, the purchaser prior to the registration of the securities; provided, that all such subscriptions are expressly conditioned upon the registration of such securities within one year from the date of such subscription and otherwise to be null and void.

(6) The sale, by a pledge holder or mortgagee selling in the ordinary course of business at public or private sale of a security pledged with him in good faith as a security for a bona fide debt.

(7) The sale to any licensed broker or licensed dealer or to any bank or financial institution under the supervision of an instrumentality or officer of the United States or of the commissioner of banks or of the commissioner of insurance of this state.

(8) The exchange of securities by the issuer thereof with its own security holders without any other consideration from such security holders and where no commission or other remuneration is to be paid to any one for effecting such exchanges; provided that the offer of exchange is filed with the commission at least ten days prior to the making thereof with the fee of \$10 required by section 80.20, clause (6).

(9) The solicitation or execution of any orders by a licensed dealer or a licensed broker for the purchase of any security; provided, that such dealer or broker acts as agent for the purchaser and has no direct material interest in the sale or distribution of such security, receives no commission, profit, or other compensation from any source other than the purchaser and delivers to the purchaser written confirmation of the transaction which clearly itemizes his commission, or other compensation.

(10) The solicitation and sale by any corporation of its securities to its security holders where a pro rata offering is made only to its security holders pursuant to a specific plan adopted by the corporation, or where such offer is required pursuant to preemptive rights of such security holders either by operation of law in the state in which such corporation is organized or pursuant to the charter or articles of such corporation, provided that no commission is paid for the sale of such securities, and provided further that no such solicitations shall be made unless:

(a) Such issuer, prior to any such solicitation, shall file with the commission detailed information concerning such solicitation and sale and such further information, statements, copies of papers and instruments as the commission may require in order to determine whether or not the proposed sale of securities may be unfair, inequitable or fraudulent, or whether or not registration of such security under section 80.08 or 80.09 is necessary or appropriate in the public interest or for the protection of investors, and

(b) The commission shall have advised such issuer in writing that the proposed solicitation and sale constitute exempt transactions under this subsection.

(11) The issue and delivery of any security of the same issuer pursuant to a right of conversion entitling the holder of the security surrendered in exchange to make such conversion; provided, that the security so surrendered has been registered under the law or was, when sold, exempt from the provisions of the law.

(12) *The sale by any cooperative association of its own securities to its patrons when all or substantially all of the consideration is comprised of patronage refunds accruing to the purchaser on business transacted with the issuer.*

The commissioner may, by written order or regulation, suspend or wholly revoke the exempt status of any sales or class of sales exempted by this section or may require, prior to the making of any such sales or class of sales, such information with respect thereto or the security to be sold thereunder, or such reports after the making of such sale, as the commissioner may deem necessary to enable him to determine whether or not he should suspend or revoke the exempt status of such sales or class or sales.

Approved March 23, 1955.

CHAPTER 223—H. F. No. 613

An act relating to school districts; amending Minnesota Statutes 1953, Section 122.03.

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

Section 1. Minnesota Statutes 1953, Section 122.03, is amended to read:

122.03 Composition. All districts shall be composed of adjoining territory and any part of a district not so situated and not containing a schoolhouse used as such shall be attached to a proper district by the county board, upon notice as in other cases, except when an entire district or districts is or is to be a part of a district which maintains a secondary school located within the same high school area, and there is no intervening district maintaining a secondary school.

Approved March 23, 1955.

CHAPTER 224—H. F. No. 756

An act relating to publication of notice of delinquent real property tax list; amending Minnesota Statutes 1953, Section 279.09.

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