

evenings, "off sales" may be made until ten o'clock p.m., except that no "off sale" shall be made on December 24 after eight o'clock p.m. It shall be beyond the power of any municipality of this state to authorize or permit the sale of intoxicating liquors when such sale is prohibited by this section, however, any municipality may further limit the hours of sale of intoxicating liquors, provided that such further restricted hours for "on sale" shall apply to both intoxicating liquor and non-intoxicating malt liquors. No "on sale" place of business shall be permitted to have swinging doors or opaque windows. All sales shall be made in full view of the public. No intoxicating liquor shall be sold or furnished for any purpose to any person under the age of 21 years or to an habitual drunkard or to any person obviously intoxicated or to any of the persons to whom sale is prohibited by statute or by reason of sale to whom a penalty is provided by statute.

Approved April 14, 1961.

CHAPTER 389—H. F. No. 566

An act relating to cooperatives; amending Minnesota Statutes 1957, Sections 308.07, Subdivision 2; and 308.14, Subdivision 2 and 4, as amended.

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

Section 1. Minnesota Statutes 1957, Section 308.07, Subdivision 2, is amended to read:

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 share shall be issued for less than its par value nor until the same has been paid for in cash or its equivalent.

Sec. 2. Minnesota Statutes 1957, Section 308.14, Subdivision 2, as amended by Laws 1959, Chapter 351, Section 3, is amended to read:

Subd. 2. Voluntary proceedings for dissolution of any association organized under or subject to the provisions of sections 308.05 to 308.18 of any other law of Minnesota relating to the organization of cooperative associations may be

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

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 trustees; and ~~shall require~~ *may provide* for the election of a president and secretary of the trustees from their own number if ~~the resolution provides for more than one 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 *of the association*, 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.

Sec. 3. Minnesota Statutes 1957, Section 308.14, Subdivision 4, as amended by Laws 1959, Chapter 351, Section 3, is amended to read:

Subd. 4. When an association has been completely wound up, the court, if the proceedings 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, ~~if only one has been provided for in the resolution of dissolution or trustees, or if more than one has~~

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been provided for, then the president or secretary of the trustees, if any, or the attorney of the trustee or trustees, if he the attorney or officer makes an affidavit that he acted as such, shall sign and acknowledge a certificate stating that the association has been completely wound up and is dissolved. The provisions of this subdivision 4 as herein amended shall apply to all associations who heretofore, or hereafter shall have filed for record in the office of the Secretary of State a certificate of dissolution.

Approved April 14, 1961.

CHAPTER 390—H. F. No. 719

An act relating to sales of intoxicating liquor; amending Minnesota Statutes 1957, Section 340.14, Subdivision 1; and Minnesota Statutes 1957, Section 340.73, Subdivision 1.

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

Section 1. Minnesota Statutes 1957, Section 340.14, Subdivision 1, is amended to read:

340.14 Regulations. Subdivision 1. Hours of sale. No sale of intoxicating liquor shall be made after one a.m. on Sunday, nor between the hours of one a.m. and three o'clock p.m. on any Memorial Day, nor between the hours of one a.m. and eight o'clock p.m. on any Election Day, in the district in which such election shall be held. No "on sale" shall be made between the hours of one a.m. and eight o'clock a.m. on any weekday. No "off sale" shall be made before eight o'clock a.m. or after ten o'clock p.m. of any day. However, in cities of the first class and in all cities, villages, and boroughs located within a radius of 15 miles of cities of the first class, "off sale" may be made only until eight o'clock p.m. of any day except Saturday, on which day "off sale" may be made until ten o'clock p.m. No "off sale" shall be made on New Years Day, January 1; Memorial Day, May 30; Independence Day, July 4; Thanksgiving Day; or Christmas Day, December 25; but on the evenings preceding such days, if the sale of liquor is not otherwise prohibited on such evenings, "off sales" may be made until ten o'clock p.m., except that no "off sale" shall be made on December 24 after eight o'clock p.m. It shall be beyond the power of any municipality of this state to authorize or permit the sale of intoxicating liquors when such sale is prohibited by this section, however,

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