

which have not reached the time limit prescribed in section 294.10, may, upon the recommendations of such special examiner or representative and the written approval of the public examiner, be destroyed.

If in the opinion of the Commissioner of Taxation, gross earnings may be adequately verified without reference to certain of such subordinate detached papers, he may authorize destruction of such detached papers without examination.

Approved March 30, 1965.

CHAPTER 138—H. F. No. 592

[Coded in Part]

An act relating to intoxicating and nonintoxicating malt beverages; permitting sales at retail by breweries to certain persons; amending Minnesota Statutes 1961, Sections 340.02, Subdivision 1 and 340.11, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Section 340.02, Subdivision 1, is amended to read:

340.02 Brewers; sales to employees; license required to sell. Subdivision 1. It shall be unlawful to sell nonintoxicating malt liquors, at retail, or wholesale, except when licensed as hereinafter provided. *Sales, however, may be made without a license, as provided in section 3.* There shall be three types of licenses.

Sec. 2. Minnesota Statutes 1961, Section 340.11, Subdivision 1, is amended to read:

340.11 Licenses. Subdivision 1. It shall be unlawful for any person, directly or indirectly, upon any pretense or by any device, to manufacture, import, sell, exchange, barter, dispose of, or keep for sale any intoxicating liquor without first having obtained a license therefor, as herein provided. *Sales, however, may be made without a license, as provided in section 3.* Nothing herein shall prohibit the natural fermentation of fruit juices in the home for family use. All manufacturers' and wholesalers' licenses shall include the right to import and shall be granted by the liquor control commissioner. The business of manufacturer and wholesaler may be combined and carried on under one license issued therefor. No whole-

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

saler's license shall be granted to any person or partnership unless the person or each member of a partnership applying for such license shall have been a resident or residents of the state for a period of five years continuously immediately prior to such application for a license, and that such persons shall have voted at least twice during said period of five years at a general state election if two general state elections have been had since such person reached his majority. No wholesalers' license shall be granted to any corporation unless all of the officers, directors, and stockholders, who own or control more than 75 percent of the stock by value and 75 percent of the voting rights of the stock, of such corporation applying for a license shall have been residents of the state for a period of five years continuously immediately prior to such application for a license and any and all such persons shall have voted at least twice during said period of five years at a general state election if two general state elections have been had since such person reached his majority. Persons, partnerships, or corporations lawfully licensed as wholesalers in the state of Minnesota March 27, 1945, shall not be subject to any residence or voting requirements to renew their wholesaler's license, nor shall their successors or assigns who acquire substantially all of the property of such licensees. Persons now serving in the Armed Forces of the United States of America or who have served in the Armed Forces of the United States of America during any time since July 1, 1942, shall be given credit as having voted at any general election held during the time they serve in the Armed Forces of the United States of America. All licenses for retail "off sale" shall be granted by the local governing body, subject to the approval of the liquor control commissioner, and shall not become effective until so approved.

Sec. 3. [340.413] **Brewers; sales to employees.** *It shall be lawful for any brewer to sell intoxicating and nonintoxicating malt beverages to any employee of such brewer or to any former employee who has retired from such employment because of age or physical disability. Such beverages shall be sold for consumption off the premises only, and the amount sold to any one person in any week shall not exceed 768 fluid ounces. The provisions of Minnesota Statutes, Sections 340.97 to 340.978 relating to minimum prices shall not apply to sales made under this section. No license shall be required for sales made under this section.*

Approved March 30, 1965.

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