

year, the board of directors shall declare a dividend payable semi-annually as of the last business day of each June and December, or may, with the approval of the commissioner, declare a dividend payable quarterly as of March 31, June 30, September 30, and December 31, or as of the last business day of each of said months. No dividend shall be declared except dividends payable as herein provided unless permission is first obtained from the commissioner, provided that no quarterly dividends shall be authorized under this section prior to June, 1957. Payments of net earnings to shareholders are dividends and shall not be referred as interest. Dividends shall be credited to share accounts on the books of the association on the dividend payment date, and shall be known as stock dividends unless a shareholder shall have requested and the board of directors shall have agreed to pay dividends on all or part of any share account in cash. Dividends payable in cash shall be paid within 30 days from the date declared. All shareholders shall participate equally in dividends pro rata to the withdrawal value of their respective *class of share accounts*; provided, that if the bylaws so provide, no association shall be required to pay or credit dividends on share accounts of \$5 or less. Except as above provided, dividends shall be declared on the withdrawal value of each share account at the beginning of the dividend period, plus payment thereon made during the dividend period (less amounts withdrawn, which for dividend purposes shall be deducted from the latest previous payments thereon) computed at the dividend rate for the time invested, determined as provided below. The date of investment shall be the date of the actual receipt by the association of a payment on a share account, except that the board of directors may fix a date, which shall not be later than the 15th day of the month, for determining the date of payment; provided that upon approval by the commissioner, the period may be extended to the 20th day of the month. Payments on share accounts, affected by this determination date, shall receive dividends as if made on the first of the month during which the payment was made, although withdrawn within the last three business days of the month ending a quarterly or semiannual dividend period.

Approved April 12, 1967.

CHAPTER 158—S. F. No. 376

An act relating to civil causes of action, providing for the survival of certain causes of action; amending Minnesota Statutes 1965, Sections 573.01 and 573.02.

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

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

Section 1. Minnesota Statutes 1965, Section 573.01, is amended to read:

573.01 Survival of causes of action. A cause of action arising out of an injury to the person dies with the person of the party in whose favor it exists, except as provided in section 573.02. It also dies with the person against whom it exists, except a cause of action arising out of bodily injuries or death caused by the negligence of a decedent *or based upon strict liability, statutory liability or breach of warranty of a decedent*, survives against his personal representatives. All other causes of action by one against another, whether arising on contract or not, survive to the personal representatives of the former and against those of the latter.

Sec. 2. Minnesota Statutes 1965, Section 573.02 is amended to read:

573.02 Action for death or injury by wrongful act. Subdivision 1. When death is caused by the wrongful act or omission of any person or corporation, the trustee appointed as provided in subdivision ~~2~~ 3 may maintain an action therefor if the decedent might have maintained an action, had he lived, for an injury caused by such wrongful act or omission. The action may be commenced within three years after the act or omission. The recovery in such action is such an amount as the jury deems fair and just in reference to the pecuniary loss resulting from such death, shall not exceed \$35,000, and shall be for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court then determines the proportionate pecuniary loss of the persons entitled to the recovery and orders distribution accordingly. Funeral expenses and any demand for the support of the decedent, other than old age assistance, allowed by the court having jurisdiction of the action, are first deducted and paid.

If an action for such injury was commenced by the decedent and not finally determined during his life, it may be continued by the trustee for recovery of such damages for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court on motion shall make an order allowing such continuance and directing pleadings to be made and issues framed as in actions begun under this section.

Subd. 2. When injury is caused to a person by the wrongful act or omission of any person or corporation and the person thereafter dies from a cause unrelated to those injuries, the trustee appointed in subdivision 3 may maintain an action for special damages

Changes or additions indicated by italics, deletions by strikeout.

arising out of such injury if the decedent might have maintained an action therefor had he lived.

Subd. 2 3. Upon written petition by the surviving spouse or one of the next of kin, the court having jurisdiction of an action falling within the provisions of ~~subdivision~~ *subdivisions 1 or 2*, shall appoint a suitable and competent person as trustee to commence or continue such action and obtain recovery of damages therein. The trustee, before commencing his duties shall file his consent and oath. Before the trustee shall receive any money, he shall file a bond as security therefor in such form and with such sureties as the court may require.

Subd. 3 4. This section shall not apply to any death or cause of action arising prior to its enactment, nor to any action or proceeding now pending in any court of the state of Minnesota.

Approved April 12, 1967.

CHAPTER 159—S. F. No. 61

An act relating to wild animals; permitting party hunting by bow and arrow deer hunters; amending Minnesota Statutes 1965, Section 100.272.

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

Section 1. Minnesota Statutes 1965, Section 100.272, is amended to read:

100.272 **Deer; party hunting; one firearm or bow and arrow license per season.** Notwithstanding any other provision of law to the contrary a hunter may hold only one license to take deer by firearms in any year *and only one license to take deer by bow and arrow in any one year;* ~~and the license is valid to~~ *A licensed hunter may take only one deer in any one year, even though licensed to take deer by both firearm and bow and arrow.* However, where two or more persons who hold valid licenses to take deer by use of firearms *or where two or more persons hold valid licenses to take deer by the use of bow and arrow* are hunting as a party any member of the party may take or kill the number of deer that is equal to the number of valid licenses held by members of the party. In no case shall the total number of deer taken by members of the party exceed the total number of valid licenses held by members of the party.

Approved April 13, 1967.

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