

CHAPTER 758—S. F. No. 801

An act relating to the highway patrol; relating to compensation for highway patrol trainees; appropriating money therefor; amending Minnesota Statutes 1967, Section 161.47, Subdivision 6.

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

Section 1. Minnesota Statutes 1967, Section 161.47, Subdivision 6, is amended to read:

Subd. 6. **Highway patrol; trainees; compensation.** The commissioner may provide training programs for the purpose of obtaining qualified personnel for the highway patrol. Persons accepted by the commissioner of highways for training under such training program shall be designated highway patrol trainees and shall receive a salary not to exceed ~~\$200~~ *70 percent of the basic salary for patrol officers as such is set forth in subdivision 2*, per month during the period of such training; and there is hereby appropriated out of the trunk highway fund a sufficient sum of money to carry out the provisions of this ~~section~~ *subdivision*. Nothing contained in this subdivision shall be construed to prevent the commissioner from providing in-service training programs for highway patrol officers. The commissioner in providing in-service training programs may acquire necessary lands and acquire or build a necessary building for such purpose.

Approved May 26, 1969.

CHAPTER 759—S. F. No. 1244

An act relating to the Minnesota unfair cigarette sales act; sales at less than cost; amending Minnesota Statutes 1967, Sections 325.66, Subdivision 10; 325.67, Subdivision 1; 325.69; 325.74, Subdivision 1; and 325.75, Subdivisions 2 and 4.

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

Section 1. Minnesota Statutes 1967, Section 325.66, Subdivision 10, is amended to read:

Subd. 10. **Unfair cigarette sales.** (1) "Cost to wholesaler" means the basic cost of the cigarettes plus the cost of doing business by the wholesaler, as defined in sections 325.64 to 325.76.

(2) The cost of doing business by the wholesaler is presumed to be four percentum of the basic cost of said cigarettes, *plus cartage*

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

to the retail outlet, if furnished or paid for by the wholesaler, in the absence of proof of a lesser or higher cost, except that the cost of doing business by the wholesaler is two percent of the basic cost of said cigarettes, when such cigarettes are sold to a wholesaler, in the absence of proof of a lesser or a higher cost. Such cartage cost is presumed to be one-half of one percent of the basic cost of the cigarettes in the absence of proof of a lesser or higher cost.

Sec. 2. Minnesota Statutes 1967, Section 325.67, Subdivision 1, is amended to read:

325.67 Sales at less than cost; penalty. Subdivision 1. It shall be unlawful for any wholesaler or retailer to offer to sell, or sell, at wholesale or retail, cigarettes at less than cost to such wholesaler or retailer, as the case may be, as defined in sections 325.64 to 325.76 for the purpose or with the effect of injuring a competitor or destroying competition, *or for a retailer to induce a wholesaler to violate the provisions of this act.* Any wholesaler or retailer who violates the provisions of this section shall be guilty of a misdemeanor.

Sec. 3. Minnesota Statutes 1967, Section 325.69, is amended to read:

325.69 Sales by a wholesaler to a wholesaler. When one wholesaler sells cigarettes to any other wholesaler, the former shall not be required to include in his selling price to the latter, the cost of *doing business* to the wholesaler, as defined by section 325.66, but the latter wholesaler, upon resale to a retailer, shall be subject to the provisions of the said section.

Sec. 4. Minnesota Statutes 1967, Section 325.74, Subdivision 1, is amended to read:

Subdivision 1. The ~~attorney general~~ *commissioner of taxation*, any corporation, partnership, trade association, or any person or persons who would suffer injury from any threatened violation of sections 325.64 to 325.76 may maintain an action to enjoin such actual or threatened violation and proof of actual damages need not be alleged or proved in cases of threatened violation. If a violation or *threatened violation of the Minnesota unfair cigarette sales act* shall be established, the court shall enjoin such violator or threatened violator, and, in addition thereto, the court shall assess in favor of the plaintiff and against defendant the injuries of the suit including reasonable attorneys fees. Where alleged and proved, the plaintiff, in addition to such injunctive relief and cost of suit including reasonable

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attorneys fees, shall be entitled to recover from defendant the actual damages sustained by him.

Sec. 5. Minnesota Statutes 1967, Section 325.75, Subdivision 2, is amended to read:

Subd. 2. Said ~~attorney general~~ *commissioner* may, upon notice and after hearing, suspend or revoke any permit issued under the cigarette tax provisions and the rules and regulations of the ~~attorney general~~ *commissioner of taxation* promulgated thereunder, for failure of the permit holder to comply with any provisions of this unfair cigarette sales act or any rule or regulation adopted thereunder. The suspension or revocation of a permit shall be for a period of not less than ~~six months~~ *15 days* from the date of suspension or revocation *for the first violation of this act; not less than 45 days from the date of suspension or revocation for the second violation of this act; all subsequent violations shall be punishable by suspension or revocation of a permit for a period of not less than 45 days and not more than one year;* and no permit shall be issued for the location designated in the suspended or revoked permit, during the period of suspension or revocation.

Sec. 6. Minnesota Statutes 1967, Section 325.75, Subdivision 4, is amended to read:

Subd. 4. Each cigarette wholesaler as defined herein, and subjobber as defined in section 297.01, subdivision 14, shall pay the respective amounts of \$100, and ~~\$87.50~~ *\$43.75*, per annum, such amounts shall be collected by the commissioner of taxation and deposited forthwith in the state treasury and credited to the general revenue fund. Payments under this section shall be made in one sum yearly commencing July 1, ~~1967~~ *1969*.

Approved May 26, 1969.

CHAPTER 760—S. F. No. 1366

An act relating to the taxation of parking ramps in certain first class cities; amending Minnesota Statutes 1967, Section 273.13, Subdivision 14.

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

Section 1. Minnesota Statutes 1967, Section 273.13, Subdivision 14, is amended to read:

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