

other farm products from the point of production to the primary market, or motor vehicles used exclusively in transporting or delivering dairy products or motor vehicles engaged exclusively in transporting or delivering freight within any city or village in this state or between contiguous villages or cities, or any transportation company engaged in operating taxicabs or hotel buses from a depot to a hotel, or any bona fide cooperative association whose membership is limited to bona fide farmers cooperative associations and who performs transportation and does business only with and for such associations, which business includes substantially other business than merely transportation.

Sec. 2. Minnesota Statutes 1945, Section 221.30, is amended to read:

221.30. Powers of commission to refuse permits. The commission shall have power to refuse to issue a permit as a common carrier or contract carrier to an auto transportation company subject to sections 221.01 to 221.17, and shall have power to refuse to issue a permit to such common carrier and contract carrier if such common or contract carrier is owned in whole or in part, directly, or indirectly, by stock ownership or otherwise, by an auto transportation company subject to sections 221.01 to 221.17. Where such financial interest is found to exist, the commission after hearing may in its discretion cancel any permit issued under sections 221.18 to 221.39. *The commission may issue a permit as a contract carrier to such cooperative associations as are described in Section 1, notwithstanding the number of its hauling contracts and provided that such contract carrier shall be permitted to haul its own property.*

Approved April 18, 1949.

CHAPTER 475—S. F. No. 980

An act relating to non-intoxicating and intoxicating malt liquors; amending Minnesota Statutes 1945, sections 340.02, subdivision 8, as amended, and 340.405.

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

Section 1. Minnesota Statutes 1945, Section 340.02, Subd. 8, as amended, is amended to read:

Subd. 8. No manufacturer or wholesaler shall, directly or indirectly, or through a subsidiary or affiliate corporation, or by any officer, director, stockholder or partner thereof, give, lend or advance any money, credit, or other thing of value to any retailer or to any person for the benefit or relief of any retailer, nor furnish, give, lend, lease, or sell to any person any furniture, fixtures, fittings, or equipment; nor shall any manufacturer or wholesaler, directly or indirectly, have any interest in, or pay for, any retail licenses, or advance, furnish, lend or give money for the payment of retail license fees or any expense incident to the obtaining of such license; nor shall any manufacturer or wholesaler become bound in any manner, directly or indirectly for the repayment of any loan made to, or the fulfillment of any financial obligation of, any retailer; except that manufacturers or wholesalers may:

(a) furnish, lend, or rent outside signs to retailers, provided the cost of such signs, in the aggregate, furnished, lent, or rented by any manufacturer or wholesaler to any retailer shall not exceed \$100.00 exclusive of erection, installation, and repair charges; but nothing herein shall be construed as affecting signs owned and located in the state on the effective date hereof by any such manufacturer or wholesaler; (b) furnish inside signs, miscellaneous advertising matter, and other items not to exceed, in the aggregate, a cost of \$25.00 in any calendar year to any one retailer; (c) furnish or maintain for retailers such equipment as is designed and intended to preserve and maintain the sanitary dispensing of non-intoxicating malt liquors, provided the expense incurred thereby does not exceed the sum of \$25.00 per tap per calendar year, no part of which shall be paid in cash to any retailer; (d) acquire within ten days after the effective date hereof any furniture, fixtures, fittings, and equipment or any valid lien thereon or interest therein, which were actually installed on the premises of any retailer prior to the effective date hereof; (e) lease or lend to the owner of the premises, or to any retailer now or hereafter occupying the premises, any furniture, fixtures, fittings, and equipment actually located on said premises on the effective date hereof.

Sec. 2. Minnesota Statutes 1945, Section 340.405 is amended to read:

340.405. **Brewers or wholesalers not to be retailers.** No brewer or wholesaler shall, either directly or indirectly, own or control, or have any financial interest in, any retail business selling intoxicating malt liquor; but this restriction shall not be construed to deny such person the right to use or have his property rented for such purpose in any case where the brewer or wholesaler was a bona fide owner of the premises prior to November 1, 1933. No brewer or wholesaler shall, directly or indirectly, or through a subsidiary or affiliate corporation, or by any officer, director, stockholder, or partner thereof, give, lend or advance any money, credit, or other thing of value to any retailer or to any person for the benefit or relief of any retailer, nor furnish, give, lend, lease, or sell to any person any furniture, fixtures, fittings, or equipment; nor shall any brewer or wholesaler, directly or indirectly, have any interest in, or pay for, any retail license, or advance, furnish, lend, or give money for the payment of retail license fees or any expense incident to the obtaining of such license; nor shall any brewer or wholesaler become bound in any manner, directly or indirectly, for the repayment of any loan made to, or the fulfillment of any financial obligation of, any retailer, except that brewers or wholesalers may: (1) furnish, lend, or rent outside signs to retailers, provided the cost of such signs, in the aggregate, furnished, lent or rented by any brewer or wholesaler to any retailer, including signs authorized by section 340.02, shall not exceed \$100.00, exclusive of erection, installation and repair charges; but nothing herein shall be construed as affecting signs owned and located in the state on the effective date hereof by any such brewer or wholesaler; (2) furnish inside signs, miscellaneous advertising matter and other items not to exceed, in the aggregate, including similar items authorized by section 340.02, a cost of \$25.00 in any calendar year to any one retailer; (3) furnish or maintain for retailers such equipment as is designed and intended to preserve and maintain the sanitary dispensing of intoxicating malt liquors, provided the expense incurred thereby does not exceed the sum of \$25.00 per tap per calendar year, no part of which shall be paid in cash to any retailer; (4) acquire within ten days after the effective date hereof any furniture, fixtures, fittings, and equipment, or any valid lien thereon or interest therein, which were actually installed on the premises of any retailer prior to the effective date hereof; (5) lease or lend to the owner of the premises, or to any retailer now or hereafter occupying the premises, any furniture, fixtures, fittings, and equipment actually located on the premises on the effective date hereof. Any such brewer or wholesaler who,

within ten days after the effective date hereof, owns any furniture, fixtures, fittings, or equipment in possession of any retailer on the effective date hereof may, within 90 days after said effective date, sell the same to such retailer only for cash on delivery and deliver a bill of sale to the same.

Approved April 18, 1949.

CHAPTER 476—S. F. No. 1024

An act relating to licenses issued to dealers in motor vehicles; amending Minnesota Statutes 1945, Section 168.27, Subdivision 1.

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

Section 1. Minnesota Statutes 1945, Section 168.27, Subdivision 1, is amended to read:

168.27. Manufacturers and dealers in motor vehicles. Subdivision 1. **License.** No person, copartnership or corporation shall engage in the business, either exclusively or in addition to any other occupation, of selling motor vehicles, new or used, or shall offer to sell, solicit or advertise the sale of motor vehicles, new or used, without first having acquired a license therefor as hereinafter provided. Application for such license and renewal thereof, shall be made to the registrar of motor vehicles, shall be in writing, and duly verified by oath. The applicant shall submit such information as the registrar may require, upon blanks provided by the registrar for such purpose. No application shall be granted nor a license issued to anyone, until and unless the applicant shall furnish proof satisfactory to the registrar of the following:

(1) That the applicant has an established place of business; an established place of business when used in this section, means a permanent enclosed building or structure either owned in fee or leased at which a permanent business of bartering, trading and selling of motor vehicles will be carried on as such in good faith and not for the purpose of evading this section, and at which place of business shall be kept and maintained the books, records, and files necessary to conduct the business at such place and shall not mean residence, tents, temporary stands, or other temporary quarters, nor perma-