

## CHAPTER 619—S. F. No. 2571

[Not Coded]

*An act relating to the qualifications of newspapers as mediums of official and legal publications under certain circumstances.*

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

Section 1. **Newspaper; suspension of publication, effect.** Notwithstanding any law to the contrary, any newspaper which suspended publication for a period between November 15, 1968, and April 15, 1969, because of destruction of its office of issue, equipment or other facility by reason of a fire, shall not be deprived of its standing or qualification as a medium of official and legal publication pursuant to Minnesota Statutes, Section 331.02, Subdivisions 1 and 2.

Approved May 24, 1969.

## CHAPTER 620—H. F. No. 96

*An act relating to highway traffic regulations: correcting certain language in the implied consent law; amending Minnesota Statutes 1967, Section 169.123, Subdivision 4.*

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

Section 1. Minnesota Statutes 1967, Section 169.123, Subdivision 4, is amended to read:

Subd. 4. **Highways; implied consent law; refusal to permit test; revocation of license.** If a person under arrest refuses to permit chemical testing, none shall be given, but the commissioner of highways, upon the receipt of a certificate of the peace officer that he had reasonable and probable grounds to believe the arrested person had been driving or operating a motor vehicle upon the public highways while under the influence of ~~intoxicating liquor~~ *an alcoholic beverage*, and that the person had refused to permit the test, shall revoke his license or permit to drive and any nonresident operating privilege for a period of six months. If the person is a resident without a license or permit to operate a motor vehicle in this state, the commissioner of highways shall deny to the person the issuance of a license or permit

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

for a period of six months after the date of the alleged violation, subject to review as hereinafter provided.

Approved May 23, 1969.

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CHAPTER 621—H. F. No. 146

[Coded in Part]

*An act relating to certain commercial transactions and amending the uniform commercial code; amending Minnesota Statutes 1967, Sections 336.2-702; 336.4-303; 336.3-501; 336.7-209; 336.2-318; 336.9-105; 336.9-106; and amending Minnesota Statutes 1967, Chapter 336, by adding a section.*

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

Section 1. Minnesota Statutes 1967, Section 336.2-702, is amended to read:

**336.2-702 Uniform commercial code; revision; seller's remedies on discovery of buyer's insolvency.** (1) Where the seller discovers the buyer to be insolvent he may refuse delivery except for cash including payment for all goods theretofore delivered under the contract, and stop delivery under this article (section 336.2-705).

(2) Where the seller discovers that the buyer has received goods on credit while insolvent he may reclaim the goods upon demand made within ten days after the receipt, but if misrepresentation of solvency has been made to the particular seller in writing within three months before delivery the ten day limitation does not apply. Except as provided in this subsection the seller may not base a right to reclaim goods on the buyer's fraudulent or innocent misrepresentation of solvency or of intent to pay.

(3) The seller's right to reclaim under subsection (2) is subject to the rights of a buyer in ordinary course or other good faith purchaser ~~or lien creditor~~ under this article (section 336.2-403). Successful reclamation of goods excludes all other remedies with respect to them.

Sec. 2. Minnesota Statutes 1967, Section 336.4-303, is amended to read:

**336.4-303 When items subject to notice, stop order, legal process or setoff; order in which items may be charged or**

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