

332.36 LIQUIDATION OF DEBTS

332.36 Advisory board created

Subdivision 1. There is created a board to be known as the collection agency advisory board whose duties shall be to advise the department as to the administration of the provisions of sections 332.31 to 332.45 and in the making of any rules and regulations in accordance with the provisions of section 332.44. Such board shall consist of three members appointed by the governor. Two of these members shall have been residents of the state for not less than five years immediately prior to their appointment and shall have been engaged in the collection business for not less than five years and be so engaged at the time of their appointment; the third member shall have been a resident of the state for not less than five years immediately prior to his appointment and shall not be engaged in the collection business at the time of his appointment and shall be over the age of 18 years.

[1973 c 725 s 59]

[For text of subds. 2 to 6, see M.S.1971]

POLICE REGULATIONS

CHAPTER 340. INTOXICATING LIQUORS

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NON-INTOXICATING MALT LIQUOR ACT

340.02 License when required to sell; fees

[For text of subd. 1, see M.S.1971]

Subd. 2. "On-sale" fees. Retail "on-sale" licenses shall permit the licensee to sell such non-intoxicating malt liquors for consumption on the licensed premises, and the license fee therefor shall be fixed by and paid to the county or municipality wherein the premises are situated. "On-sale" licenses shall be granted only to drug stores, restaurants, hotels, bona fide clubs, and establishments for the sale of non-intoxicating malt beverages, cigars, cigarettes, all forms of tobacco, beverages, and soft drinks at retail.

[1973 c 447 s 1]

INTOXICATING LIQUORS 340.09

Subd. 3. "Off-sale"; fees. Retail "off-sale" licenses shall permit the licensee to sell non-intoxicating malt liquors in original packages for consumption off the premises only, and the license fee therefor shall be fixed by and paid to the county or municipality wherein the premises are situated.

[1973 c 447 s 2]

[For text of subds. 4 to 7, see M.S.1971]

Subd. 8. Persons eligible. Licenses hereunder shall be issued only to persons who are citizens of the United States and who are of good moral character and repute, who have attained the age of 18 years and who are proprietors of the establishments for which the licenses are issued.

[1973 c 725 s 60]

[For text of subds. 9 to 13, see M.S.1971]

PROOF OF AGE [NEW]

340.039 Drivers license or nonqualification certificate

Proof of age for purposes of consuming, purchasing, or possessing an alcoholic beverage, the consumption, sale, or possession of which is regulated by age, may only be established by a valid drivers license or a current nonqualification certificate issued pursuant to Minnesota Statutes 1971, Section 171.07.

[1973 c 725 s 90]

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340.07 Definitions

[For text of subds. 1 to 4, see M.S.1971]

Subd. 5. "On-sale" means the sale of liquor by the glass or by the drink for consumption on the premises only pursuant to such regulations as the commissioner may prescribe.

[1973 c 664 s 1]

[For text of subds. 6 to 17, see M.S.1971]

340.09 Liquor control commissioner; powers

Subdivision 1. The principal office of the liquor control commissioner shall be in the city of Saint Paul. He may appoint a secretary and such inspectors, clerks, and other assistants as he may require. All employees of the commissioner shall be in the classified service. He shall set up an adequate system for the administration of the provisions of chapter 340, and have supervision over and power to regulate all forms of advertising and display of liquors as provided in section 340.15.

Subd. 2. The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable regulations to effect the object of such chapter 340. Such regulations shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale.

Subd. 3. In all matters relating to his official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as he may desire to inspect, and in all things aid him in the performance of his duties.

[1973 c 664 s 3]

340.11 INTOXICATING LIQUORS

340.11 Licenses

[For text of subd. 1, see M.S.1971]

Subd. 2. Wholesalers' and manufacturers' licenses. Manufacturers' and wholesalers' licenses shall be issued by the liquor control commissioner.

A manufacturer's or wholesaler's license shall include the right to import. The business of manufacturer and wholesaler may be combined and carried on under one license issued therefor.

[1973 c 664 s 4]

[For text of subds. 3 to 6, see M.S.1971]

Subd. 7. On-sale; third and fourth class cities; statutory cities and boroughs. Not more than 12 "on-sale" licenses shall be issued in any city of the third class. Not more than seven "on-sale" licenses shall be issued in any city of the fourth class, or borough including those cities and boroughs whose acts of incorporation are repealed by Laws 1973, Chapter 123, Article V, Section 5. Not more than six "on-sale" licenses shall be issued in any statutory city of 5,000 to 10,000 population. Not more than five "on-sale" licenses shall be issued in any statutory city of 2,500 to 5,000 population. Not more than four "on-sale" licenses shall be issued in any statutory city of 500 to 2,500 population. Not more than three "on-sale" licenses shall be issued in any statutory city of less than 500 population. For purposes of this subdivision the term "statutory city" does not include those cities and boroughs whose acts of incorporation are repealed by Laws 1973, Chapter 123, Article V, Section 5. This section shall not be construed to increase or decrease the number of "on-sale" licenses that may be issued in any municipality.

[1973 c 123 art. IV s 1]

Subd. 8. Additional on-sale licenses; St. Louis county. In St. Louis county, if the liquor control commissioner also approves, the governing body in cities of the third class may grant 15 "on-sale" licenses and in cities of the fourth class, including those cities whose acts of incorporation are repealed by Laws 1973, Chapter 123, Article V, Section 5, may issue nine "on-sale" licenses and in statutory cities having a population of more than 2,500, and less than 5,000, six "on-sale" licenses. For purposes of this subdivision the term "statutory city" does not include those cities and boroughs whose acts of incorporation are repealed by Laws 1973, Chapter 123, Article V, Section 5. This section shall not be construed to increase or decrease the number of "on-sale" licenses that may be issued in any municipality.

[1973 c 123 art. IV s 2]

[For text of subds. 9 to 11a, see M.S.1971]

Subd. 11b. On-sale licenses to certain non-profit corporations. "On-sale" licenses for the sale of intoxicating liquor may, in the discretion of the municipality, be issued in any city of the first class to any non-profit corporation which was organized prior to January 1, 1962 to promote, stimulate, and support community education, appreciation and development of the theater and cultural arts through dramatic performances and other means and which has operated a repertory theater in the city since at least January 1, 1964. Such licenses may be issued notwithstanding any limitations imposed by law, charter or ordinance relating to liquor patrol limits, zoning, or school or church distance limitations and such licenses shall be in excess of any limitations imposed by section 340.11, subdivision 6, or otherwise. All other laws, charter provisions, or ordinances relating to the licensing and regulation of on-sale liquor establishments, including the granting, renewal, suspension or revocation of licenses shall apply. Any license issued pursuant to this subdivision shall authorize the sale of intoxicating liquor only to holders of tickets to dramatic performances presented by such nonprofit corporation and members of such nonprofit corporation and their guests.

[1973 c 179 s 1]

[For text of subds. 12 to 17, see M.S.1971]

340.114 Unlawful discrimination prohibited

Subdivision 1. All licensed importers shall offer for sale on an equal basis to all licensed wholesalers and manufacturers all intoxicating liquor brought into the state of Minnesota.

Subd. 2. Without limiting subdivision 1, the following shall be deemed failures to offer intoxicating liquor for sale on an equal basis and are unlawful:

(a) A refusal to sell any intoxicating liquor to a wholesaler or manufacturer, which is offered for sale to any other wholesaler or manufacturer, except when a wholesaler or manufacturer is in arrears on payments for past purchases from the importer who refuses to sell.

(b) A sale of any intoxicating liquor to any wholesaler or manufacturer at a price different from that offered to any other wholesaler or manufacturer, exclusive of shipping costs, except that quantity discounts based upon actual cost savings may be uniformly offered to all wholesalers and manufacturers.

(c) A sale of any intoxicating liquor to any wholesaler or manufacturer on terms of purchase different from those offered any other wholesaler or manufacturer, except that when the importer reasonably believes that a wholesaler or manufacturer will be unable to comply with the existing terms of credit, then other terms may be employed, including denial of credit.

(d) Any discrimination among wholesalers and manufacturers in satisfying their respective demands for any intoxicating liquor.

(e) A sale conditioned upon an agreement which restricts the wholesaler or manufacturer with respect to customers, area for distribution, or resale price, or which otherwise restrains the wholesaler or manufacturer from competing in trade and commerce.

(f) For purposes of this subdivision and subdivision 1 only, the term "intoxicating liquor" shall not include "pop wines" as the same are defined by regulation of the commissioner.

Subd. 3. No licensed importer or manufacturer shall offer or sell to any licensed wholesaler any intoxicating liquor at a bottle or case price which is higher than the lowest price at which such item of liquor is contemporaneously being sold by such importer or manufacturer to any wholesaler anywhere in any other state of the United States or in the District of Columbia or to any state or state agency which owns and operates retail liquor stores.

In determining the lowest price for which any item of liquor is being sold in any other state or in the District of Columbia, or to any state or state agency which owns and operates retail liquor stores, appropriate reductions shall be made to reflect all discounts, rebates, free goods, allowances and other inducements of any kind whatsoever offered or given to any such wholesaler, state, or state agency purchasing such item in such other state or in the District of Columbia; provided that nothing contained herein shall prevent differentials in price which make only due allowance for differences in state taxes and fees, and in the actual cost of delivery. As used in this subdivision, the term "state taxes or fees" shall mean the excise taxes imposed or the fees required by any state or the District of Columbia based upon a gallon of liquor.

Subd. 4. Nothing in this section shall apply to any wines or malt beverages regardless of alcoholic content.

[1973 c 664 s 2]

340.119 Bottle clubs

[For text of subd. 1, see M.S.1971]

Subd. 2. A bottle club may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. A bottle club or any unincorporated society which shall have more than 50 members and which shall have, for more than a year, owned, hired, or leased space in

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a building of such extent and character as may be suitable and adequate for reasonable and comfortable accommodations for its members, may allow members to bring and keep a personal supply of intoxicating liquors in lockers assigned to such members. Every bottle, container, or other receptacle containing intoxicating liquor, stored by members shall have attached to it a label signed by the member of the club. All liquor on the premises of the club shall be labeled as herein required, and any not being actually used or consumed by the owner thereof shall be kept in a locker designated to the use of such member. It shall be unlawful for any club member under 18 years of age to be assigned a locker for the storage of intoxicating liquor, or to consume or display or be permitted to consume or display intoxicating liquor on any premises owned or controlled by such private club.

[1973 c 725 s 61]

[For text of subds. 3 to 9, see M.S.1971]

340.13 Licenses; restrictions

[For text of subds. 1 to 11, see M.S.1971]

Subd. 12. Licenses; persons eligible. No license shall be issued to other than a citizen of the United States over 18 years of age who shall be of good moral character and repute, nor to any person who within five years prior to the application of such license has been convicted of any wilful violation of any law of the United States or the state of Minnesota or of any local ordinance with regard to the manufacture, sale, distribution, or possession for sale or distribution of intoxicating liquor, nor to any person whose license under the intoxicating liquor act shall be revoked for any wilful violation of any such laws or ordinances.

[1973 c 725 s 62]

[For text of subd. 13, see M.S.1971]

340.133 Racial discrimination by clubs; issuance of licenses

Notwithstanding any provision of law to the contrary, no license for the on sale or off sale of intoxicating liquor or for the conduct of dances or other forms of entertainment shall be issued or renewed by a municipality to any club which discriminates against members or applicants for membership or guests of members upon the basis of race. For purposes of this section the terms used herein shall have the meanings ascribed to them by section 340.07.

[1973 c 463 s 1]

340.14 Regulations

[For text of subds. 1, 1a, see M.S.1971]

Subd. 2. Restrictions. Every licensee shall be responsible for the conduct of his place of business and for conditions of sobriety and order therein. No licensee shall keep, possess, or operate, or permit the keeping, possession, or operation of, on the licensed premises, or in any room adjoining the licensed premises, any slot machine, dice, or any gambling device or apparatus, nor permit any gambling therein, nor permit the licensed premises or any room in the same, or in any adjoining building, directly or indirectly under its control to be used as a resort for prostitutes or other disorderly persons. No person under 18 years of age shall be employed in any rooms constituting the place in which intoxicating liquors are sold at retail "on-sale", except that persons under 18 years of age may be employed as musicians or to perform the duties of a busboy or dishwashing services in places defined as a restaurant or hotel or motel serving food in rooms in which intoxicating liquors are sold at retail "on-sale".

[1973 c 152 s 1; 1973 c 725 s 63]

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Subd. 3. Sales; where forbidden. No intoxicating liquors shall be sold in any of the following places:

- (1) Within the capitol or upon the grounds thereof;
- (2) Upon the state fairgrounds or at any place in a city of the first class within one half mile of such fairgrounds except as hereinafter otherwise provided by charter;
- (3) Upon the campus of the school of agriculture of the University of Minnesota or at any place in a city of the first class within one half mile of such campus except as hereinafter otherwise provided by charter;
- (4) Within 1,000 feet of any state hospital, training school, reformatory, prison, or other institution under the supervision and control, in whole or in part, of the commissioner of public welfare or the commissioner of corrections. Whoever sells or otherwise disposes of intoxicating liquor at retail at a place prohibited by this clause is guilty of a gross misdemeanor;
- (5) In any town or municipality in which a majority of votes at the last election at which the question of license was voted upon shall not have been in favor of license, or within one half mile of any such municipality, except that any intoxicating liquor, manufactured within any such district, may be sold to be consumed outside of such district;
- (6) At any place on the east side of the Mississippi river within one mile of the main building of the University of Minnesota unless the licensed establishment is on property owned or operated by a nonprofit corporation organized prior to January 1, 1940 for and by former students of the University of Minnesota; and within one mile of the Kirby student center building of the University of Minnesota, Duluth Branch; a license may be issued under this clause notwithstanding any local law to the contrary;
- (7) Within 1,500 feet of any state college, except as hereinafter provided, or, when the place of sale is not within a municipality, within 1,500 feet of any public school outside of a municipality; within 1,200 feet at Winona state college, and at Southwest state college and in determining the distance, the measurement shall be along the most direct line from the nearest corner of the administration building of the college to the main entrance of the licensed premises; as to the Valley campus of the Mankato state college in the city of Mankato when the place of sale is within 1,000 feet from the middle of the entrance into the main building which entrance is located on the easterly side of South 5th Street at a point where said street is intersected by East Jackson Street in the city of Mankato, or between the Valley campus and Highland campus or within 1,500 feet of the Highland campus;
- (8) At more than five places on any one side of a block within and fronting upon the patrol limits of cities of the first class;
- (9) The restrictions imposed by this subdivision shall not apply to any manufacturer or wholesaler of intoxicating liquors or to a drug store or to any person lawfully licensed to sell intoxicating liquor immediately prior to the enactment of this subdivision.

[1973 c 35 s 51]

[For text of subds. 4 and 5, see M.S.1971]

340.15 Regulation of advertising

Subdivision 1. The unrestricted advertising of intoxicating liquor is hereby declared to be contrary to public policy. Reasonable rules and regulations restricting advertising to prevent it from counteracting temperance education shall be made by the liquor control commissioner.

Subd. 2. No wholesaler or other person shall communicate to a retailer at off-sale in any manner a suggested retail price for the sale of intoxicating liquor.

[1973 c 664 s 5]

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340.19 Removal of officers; licenses revoked; bonds forfeited; violations

(1) The failure on the part of any duly constituted public officer, charged by law with the enforcement of the intoxicating liquor act shall constitute non-feasance in office and shall be valid ground for the removal of such officer.

(2) When any licensee shall wilfully violate the provisions of the intoxicating liquor act his license shall be immediately revoked and his bond forfeited, and no license of any class shall for a term of five years thereafter be issued to the same person or to any person who at the time of the violation owns any interest, whether as holder of more than five percent of the capital stock of a corporation licensee, as partner, or otherwise, in the premises or in the business conducted thereon, or to any corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested.

(3) Whoever, in violation of the provisions of the intoxicating liquor act, shall manufacture intoxicating liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(4) Whoever, in violation of the provisions of the intoxicating liquor act, shall transport or import into the state liquor for the purposes of sale shall be guilty of a gross misdemeanor.

(5) Whoever shall sell directly or indirectly any intoxicating liquor without having a license for such sale shall be guilty of a gross misdemeanor.

(6) Whoever shall violate any of the provisions of the intoxicating liquor act as to sale, licensing, or any of the regulatory provisions pertaining thereto, as herein provided, shall be guilty of a misdemeanor.

(7) Whoever refuses or neglects to obey any lawful direction of the liquor control commissioner, or his deputy or any of his assistants; withholds any information, book, record, paper, or other thing called for by him for the purpose of examination; obstructs or misleads him in the execution of his duties; or swears falsely concerning any matter stated under oath shall be guilty of a gross misdemeanor.

(8) The liquor control commissioner shall have the power to institute proceedings to cancel or revoke the licensing of any pharmacist or druggist as such pharmacist or druggist who shall violate the provisions of the intoxicating liquor act.

[1973 c 664 s 6]

340.353 Municipal liquor stores; establishment; operation

[For text of subds. 1 to 5, see M.S.1971]

Subd. 6. Municipalities; certain on-sale licenses. Notwithstanding the provisions of section 340.353, subdivision 5, or any other law to the contrary, a city, village, or borough which did not permit any sale of intoxicating liquor within its boundaries as of June 30, 1969, or was incorporated after that date, may issue on-sale licenses for the sale of intoxicating liquor in accordance with the provisions of section 340.353, subdivision 5.

[1973 c 415 s 1]

340.403 Bond, license

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. License granted. Upon the filing of an application, the approval of the bond, and the payment of the license fee, the commissioner shall grant the license unless it shall appear that the applicant: (1) is not a citizen of the United States; or (2) is not over 18 years of age; or (3) has been convicted of a felony under the laws of this state; or (4) has had his license revoked within a period of one year prior to the filing of his application; or (5) has not been a resident of Minnesota or has not been qualified as a corporation to do business in Minnesota for more than 90 days prior to application.

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In the event the applicant is a corporation its managing officers must possess the qualifications herein stated in respect to (1), (2), (3), and (4).

No wholesale malt beverage license shall be granted to any person unless he shall have within the state of Minnesota warehouse space either owned or leased by him and shall have adequate delivery facilities to perform the function of wholesaling malt beverages. Provided that the requirements of this subdivision as to residence and warehouse space shall not apply to any wholesaler in an adjoining state which permits Minnesota resident licensees to deliver malt beverages to retailers without warehousing in that state or to any wholesaler in an adjoining state delivering malt beverages manufactured in Minnesota.

[1973 c 725 s 64]

[For text of subd. 4, see M.S.1971]

340.408 Joint purchases

The joint purchase for resale to the general public of 300 or fewer quart or smaller bottles of intoxicating liquor by more than one person lawfully permitted to sell intoxicating liquor to the general public is lawful. No rule or regulation pursuant to chapter 340 shall prohibit a lawful purchase pursuant to this section.

[1973 c 664 s 7]

EXCISE TAX

340.47 Excise tax

Subdivision 1. On intoxicating liquors. There shall be levied and collected on all intoxicating liquors manufactured, imported, sold or in possession of any person in this state, except as herein provided by sections 340.50 and 340.601, and except the natural fermentation of fruit juices in the home for family use the following excise tax:

- (1) On all unfortified wines, the sum of 27 cents per gallon;
- (2) On all fortified wines from 14 to 21 percent of alcohol by volume, the sum of 79 cents per gallon;
- (3) On all fortified wines from 21 to 24 percent of alcohol by volume, the sum of \$1.58 per gallon;
- (4) On all fortified wines containing more than 24 percent of alcohol by volume, the sum of \$3.08 per gallon;
- (5) On all natural and artificial sparkling wines containing alcohol, the sum of \$3.08 per gallon;
- (6) On all other distilled spirituous liquors, liqueurs, cordials, and liquors designated as specialties regardless of alcoholic content, the sum of \$4.39 per gallon, but not including ethyl alcohol; provided, that in computing the tax on any package of spirits a proportional tax at a like rate on all fractional parts of a gallon shall be paid except that all fractional parts of a gallon less than one-sixteenth shall be taxed at the same rate as shall be taxed for one-sixteenth of a gallon; provided, however, that the contents of miniatures containing two fluid ounces or less shall be taxed 12 cents.

Subd. 2. On fermented malt beverages. An excise tax is hereby assessed, imposed, and levied upon the sale, either directly or indirectly of fermented malt beverages other than for shipment in interstate or foreign commerce. Such tax shall not be imposed or collected upon fermented malt beverages given away by a brewery for consumption only upon the brewery premises, for which no charge of any kind is made or collected; nor shall fermented malt liquors distributed to brewery employees for consumption only upon the brewery premises pursuant to a contract of employment be subject to such tax. Such tax shall be levied and collected at the rate of \$2.00 per barrel of 31 gallons, containing not more than 3.2 percent of alcohol by weight, and a tax of \$4.00 per barrel of 31 gallons containing more than 3.2 percent of alco-

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hol by weight, and at a proportional rate for fractional parts thereof. All the receipts from these taxes shall be paid into the general fund by the liquor control commissioner. Any brewer producing and selling within this state fermented malt beverages shall receive a credit of 50 percent of the tax on the first 40,000 barrels containing not more than 3.2 percent of alcohol by weight, and a credit of 50 percent of the tax on the first 40,000 barrels containing more than 3.2 percent of alcohol by weight.

[1973 c 483 s 1; 1973 c 664 s 8]

Subd. 2a. Subdivision 2 is in effect on July 1, 1973. On August 15, 1973, and on the 15th day of each month thereafter, Minnesota brewers may take the credit authorized by subdivision 2, but the total credit allowed shall not exceed the allowable credit on more than 40,000 barrels containing not more than 3.2 percent of alcohol by weight, and 40,000 barrels containing more than 3.2 percent of alcohol by weight, produced and sold in Minnesota in any fiscal year beginning July 1, 1973.

[1973 c 483 s 2]

[For text of subds. 3 to 6, see M.S.1971]

340.60 Liquor receipts

Subdivision 1. Paid into state treasury. All taxes, penalties, license fees, and receipts of every kind, character, and description provided for and payable to the state under the terms and provisions of the intoxicating liquor act and sections 340.44 to 340.56, including all moneys collected by the liquor control commissioner under rules and regulations established by him such as certificate labels, truck labels, case labels, and any other form that he may establish, shall be paid into the state treasury the same as other departmental receipts, and are to be credited to the general fund of the state.

[1973 c 650 art. XI s 1]

(NOTE: The provisions of this subdivision shall be effective for all payments required to be made after August 15, 1973.)

- Subd. 2. [Repealed, 1973 c 650 art. XI s 2]
- Subd. 3. [Repealed, 1973 c 650 art. XI s 2]
- Subd. 4. [Repealed, 1973 c 650 art. XI s 2]
- Subd. 5. [Repealed, 1973 c 650 art. XI s 2]
- Subd. 6. [Repealed, 1973 c 650 art. XI s 2]
- Subd. 7. [Repealed, 1973 c 650 art. XI s 2]

VIOLATIONS, PENALTIES

340.78 Sales to minors and others, after notice

Every person selling liquor to a minor, habitual drunkard, or person under guardianship, after written notice by a parent, husband, wife, child, guardian, master, or employer of such minority, habitual drunkenness, or guardianship, or in the case of an habitual drunkard after written notice by the mayor, chief of police, or any member of the council of the municipality in which such habitual drunkard resides, or member of the county board of the county in which such habitual drunkard resides, and within one year after such notice in case of an habitual drunkard, and in other cases during the continuance of the minority, or guardianship, shall be guilty of a misdemeanor.

[1973 c 725 s 65]

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340.81 Exclusion of minors from places where liquor is sold, after notice; penalty

No minor, intemperate drinker, habitual drunkard, inmate of a poor or alms house, or person under guardianship, shall be allowed in any room where intoxicating liquor is sold in less quantities than five gallons as a beverage, after written notice upon the licensee or his agent, by parent, husband, wife, child, guardian, master or employer of such minority, intemperate drinking, habitual drunkenness or guardianship, or in the case of an intemperate drinker, inmate of a poor or alms house, or habitual drunkard, after written notice by the mayor, chief of police, judge of the municipal court, or any member of the council of the municipality in which such intemperate drinker, or habitual drunkard, resides, or member of the county board of the county in which such inmate of a poor or alms house, intemperate drinker or habitual drunkard resides, and within one year after such notice, in case of an inmate of a poor or alms house, intemperate drinker or habitual drunkard, and in other cases during the continuance of the minority or guardianship. Any violation of this section shall be guilty of a misdemeanor.

[1973 c 725 s 66]

LIQUORS, WINES; MINIMUM RESALE PRICES

- 340.97 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.971 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.972 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.973 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.974 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.975 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.976 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.977 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.978 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.98 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.981 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.9815 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]
- 340.982 [Repealed, 1973 c 444 s 1; 1973 c 664 s 10]

340.983 Filing of wholesale price schedule

No brand owner or wholesaler of distilled liquor or wine shall sell, offer for sale, or solicit any order for distilled liquor or wine unless a schedule of wholesale prices, which shall include varying volume prices, is filed with the commissioner, on a form prescribed by him, and no sales shall be made except in accordance with such prices. Such forms shall provide for the listing of the price, including any varying volume prices, at which each brand distributed by the filing wholesaler or brand owner is sold. The commissioner shall maintain such filings in such a manner as to make their contents easily accessible to the public. The filings required under this section shall be made not later than the tenth day of each month, and the schedule of filed prices shall be effective from that day until the tenth day of the next month, provided that any filing may be amended within five days after its filing. The commissioner shall provide copies of such filings to any person requesting them, and may charge a reasonable fee therefor. Any person may examine such filings in the office of the commissioner, and no charge shall be made for such examination.

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No volume price filed pursuant to this section shall be for a quantity in excess of 300 quarts.

[1973 c 664 s 9]

340.984 [Repealed, 1973 c 664 s 10]

340.985 [Repealed, 1973 c 664 s 10]

CHAPTER 341. BOXING COMMISSION

Sec.	Sec.
341.01 Creation.	341.03 Compensation; expenses.
341.02 Governor to appoint.	341.06 Moneys paid into state treasury.

341.01 Creation

There is hereby created the state boxing commission, to consist of seven commissioners, citizens of this state, two of whom shall be public members as defined for purposes of Laws 1973, Chapter 638, who shall be appointed by the governor and hold office for a term of three years, except as herein-after provided, and until their successors are appointed and have qualified.

[1973 c 638 s 52]

341.02 Governor to appoint

The governor shall appoint as members of this commission one commissioner for a term of one year, two commissioners for a term of two years, and two commissioners for a term of three years, such term to commence on the first day of the month following such appointments. The initial public members appointed to the board shall serve two and three year terms respectively, such terms to commence on the first day of the month following such appointment. Any vacancy in office shall be filled by appointment by the governor for the unexpired portion of the term. No commissioner shall directly or indirectly promote any boxing or sparring exhibition or directly or indirectly engage in the managing of any boxer or be interested in any manner in any proceeds from any boxing match.

[1973 c 638 s 53]

341.03 Compensation; expenses

Each commissioner shall receive \$35 for each meeting of the commission he attends, plus ordinary and necessary expenses in the same amount and manner as state employees, but he shall not be paid for attending more than 22 such meetings in any calendar year.

[1973 c 638 s 54]

341.06 Moneys paid into state treasury

The commission shall pay into the state treasury all moneys collected by it. The expenses of administering sections 341.01 to 341.15 shall be paid for from appropriations made to the state boxing commission.

[1973 c 638 s 55]

CHAPTER 343. PREVENTION OF CRUELTY

Sec.	
343.11 Acquisition of property, appropriations.	

343.11 Acquisition of property, appropriations

Every county society for the prevention of cruelty to children and animals may acquire, by purchase, gift, grant, or devise, and hold, use, or convey, real estate and personal property, and lease, mortgage, sell, or use the same in any manner conducive to its interest, to the same extent as natural persons.