

CHAPTER 217—S. F. No. 5

An act authorizing all cities in the state, except cities of the first class including each city now or hereafter operating under a home rule charter adopted under and pursuant to Section 36, Article IV., of the State Constitution, all villages, towns, and counties to acquire, establish, construct, improve, equip, maintain and operate airports or landing fields, and provide funds for such purposes; and legalizing and validating the acquisition by gift or purchase of any airport or landing field heretofore acquired by any such city, village, town or county.

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

Section 1. Cities and villages may equip air fields.—The governing body of any city, village, or town in this state is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate airports or landing fields for the use of airplanes and other aircraft either within or without the limits of such cities, villages, and towns, and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such city, village, or town.

Sec. 2. County board may equip air fields.—The board of county commissioners of any county in this state is hereby authorized to acquire, establish, construct, own, control, lease, equip, improve, maintain, operate, and regulate airports or landing fields for the use of airplanes and other aircraft within the limits of such counties, and may use for such purpose or purposes any property suitable therefor that is now or may at any time hereafter be owned or controlled by such county.

Sec. 3. May exercise power of eminent domain.—Any lands acquired, owned, controlled, or occupied by such cities, villages, towns, or counties for the purpose enumerated in Sections 1 and 2 hereof shall and are hereby declared to be acquired, owned, controlled, and occupied for a public purpose and as a matter of public necessity, and such cities, villages, towns, or counties shall have the right to acquire property for such purpose or purposes under the power of eminent domain as and for a public necessity.

Sec. 4. May acquire lands by gift, purchase, or otherwise.—Private property needed by any city, village, town, or county for an airport or landing field may be acquired by gift or by purchase if

the city, village, town, or county is able to agree with the owners on the terms thereof, and otherwise by condemnation, in the manner provided by the law under which the city, village, town or county is authorized to acquire real property for public purposes, other than street purposes, or, if there be no such law, in the manner provided for and subject to the provisions of the condemnation law. The purchase price or award for real property acquired for an airport or landing field may be paid for by appropriation of moneys available therefor or wholly or partly from the proceeds of the sale of bonds of the city, village, town, or county issued as hereinafter specified.

Sec. 5. May maintain and operate flying fields.—The governing body of any city, village, town, or county which has established an airport or landing field and acquired, leased, or set apart real property for such purpose may construct, improve, equip, maintain, and operate the same, or may vest jurisdiction for the construction, improvement, equipment, maintenance, and operation thereof, in any suitable office, board, or body of such city, village, town, or county. The expenses of such construction, improvement, equipment, maintenance, and operation shall be a city, village, town, or county charge as the case may be. The governing body of any city, village, town, or county may adopt regulations and establish fees or charges for the use of such airport or landing field, or may authorize any officer, board or body of such village, city, town, or county having jurisdiction to adopt such regulations and establish such fees or charges, subject, however, to the approval of such governing body before they shall take effect.

Sec. 6. Annual appropriation.—The governing body of any city, village, town, or county to which this act is applicable having power to appropriate money therein may annually appropriate and cause to be raised by taxation in such city, village, town, or county a sum sufficient to carry out the provisions of this act, not exceeding, however, the taxing limits now provided by law.

Sec. 7. Application.—The provisions of this act shall apply to all cities of the state, excepting all cities of the first class, including every city now or hereafter having and operating under a home rule charter adopted under, and pursuant to Section 36, of Article 4, of the State Constitution; provided, however, that this act shall not apply to any privately owned or controlled airport and aviation field.

Sec. 8. Bonds may be issued.—Any such city, village, town, or county is hereby authorized and empowered to issue its nego-

liable general obligation bonds for the purpose of acquiring, establishing, constructing, enlarging or improving such airport or landing field and a site therefor in the manner and within the limits prescribed by Chapter 10, General Statutes, Minnesota 1923, and Chapter 131, Laws of 1927, for the issuance of bonds for the acquisition of other revenue producing public conveniences. Such bonds shall be sold in the manner prescribed by Section 1943, General Statutes 1923, as amended. The amount of any such bonds at any time outstanding shall be included in computing the net debt of the city, village, town, or county issuing the same for the purpose of computing any limitation of its indebtedness prescribed by law or by its charter.

Sec. 9. Acts legalized.—The acquisition of property within or without the limits of any such city, village, or town for airports or landing fields, by purchase or gift, heretofore made by any such municipality, together with the conveyance and acceptance thereof, is hereby legalized and made valid and effective.

Sec. 10. This act shall take effect and be in force from and after its passage.

Approved April 17, 1929.

CHAPTER 218—S. F. No. 42

An act providing for the control of White-Pine Blister Rust.

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

Section 1. Definitions.—That for the purpose of this act the following words, names and terms shall be construed respectively, to mean:

(a) Commissioner: The commissioner of forestry and fire prevention;

(b) Cultivated black currants: Plants, roots, cutting or scions of *Ribes nigrum* L.

(c) Currants and Gooseberries: Plants, roots, cuttings or scions belonging to the genera *Ribes* L. and *Grossularia* (Tourn.) Mill.