

(23) To fish commercially in Namakan Lake:

**Sec. 3. Deputies and their salaries.** The sheriff in any such county shall appoint and employ a chief deputy who shall be paid an annual salary of \$2,400; a second deputy who shall be paid an annual salary of \$2,100; and a third deputy who shall be paid an annual salary of \$2,100; one jailer who shall be paid \$600 per annum; one additional deputy during such times as the district court is in session in his county, and such other and additional deputies, bailiffs, or court officers as may be required, ordered, or authorized by a judge of said district court, or by the county commissioners of said county, each such additional deputy, bailiff, or court officer to receive such salary as may be fixed by the County Board or the Judge but not in excess of \$175 per month. The salaries of all such deputies, jailers, bailiffs, and court officers shall be paid by the county. Provided, however, that *effective April 1, 1949*, the salary of the first deputy shall be \$2,100, and the salaries of the second and third deputies \$1,800 each, and the salaries fixed by the Court or the County Board shall not then exceed \$150 per month.

Approved April 7, 1947.

---

CHAPTER 281—S. F. No. 802

[Coded as Sections 221.47 to 221.53]

*An act relating to regulation of motor carriers transporting petroleum products.*

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

[221.47] **Carriers of petroleum.** Section 1. Subdivision 1. **“Petroleum carrier” defined.** The term “petroleum carrier” as used in this chapter means any person or corporation engaged in the business of transporting for hire over the public highways of this state petroleum products in bulk in quantities in excess of 2,000 gallons per load. The term petroleum carrier shall not apply to any corporation or person while engaged in transporting petroleum products in bulk between points or places wholly within a single city or village or wholly within a single group of contiguous cities or villages.

Subd. 2. **Sections 221.18 to 221.30 not applicable.** Provisions of Minnesota Statutes 1945, Sections 221.18 to 221.30,

shall not apply to such operations of common carriers and contract carriers as come within the definition of petroleum carrier.

[221.48] **Certificate required.** Sec. 2. Except as provided in Section 5 hereof, no person or corporation shall operate as a petroleum carrier without a petroleum carrier certificate from the commission authorizing such operation.

[221.49] **Application; hearing; notice; grant or denial.** Sec. 3. Any person or corporation desiring to operate as a petroleum carrier or desiring an extension of his existing authority as a petroleum carrier shall file a petition for a petroleum carrier certificate with the commission. Such petition shall set forth the name and address of the applicant, the cities or villages or territory proposed to be served, a complete description of the property proposed to be used, a detailed financial statement, and such other information as the commission may require. Upon the filing of such petition the commission shall fix a time and place for hearing thereon which shall not be less than 20 days after such filing. The commission shall cause a copy of such petition and notice of hearing thereon to be served upon all persons or corporations whom it shall deem interested therein, at least ten days before the date of hearing, and any person so served or any other interested party shall have the right to appear at such hearing and offer testimony for or against the granting of such certificate. If the commission shall find from the evidence that the petitioner is fit and able to conduct the proposed operation, that the granting of the petition will not result in more than ordinary hazards to the public traveling on the highways or to cities or villages through which the petitioner proposes to operate, and will not be contrary to public interest the commission shall issue a petroleum carrier certificate for the authority sought or for the partial exercise of the authority sought, and may attach to the exercise of such authority such terms and conditions as in its judgment public safety and public interest may require. Otherwise such petition shall be denied. In addition to the specific authority granted by the commission to petroleum carriers hereunder, every such carrier holding a certificate issued under this act shall, without any further authority from the commission, be permitted to transport petroleum products anywhere within this state whenever the needs of the shippers which such carrier serves may require the temporary expansion of the area in which such carrier may operate because of failure of supply, within the area

of authority granted to such carrier, or because of any other emergency affecting such shippers.

[221.50] **Suspension of certificate.** Sec. 4. Any petroleum carrier certificate may be suspended or revoked by the commission for cause, and may be sold, assigned, leased or transferred as other property, but only upon authorization of the commission.

[221.51] **Temporary permit.** Sec. 5. Any person or corporation who was regularly operating as a petroleum carrier prior to May 1, 1947, may continue such operations until September 1, 1947, but shall thereafter desist unless prior to said date he shall have filed with the commission a petition for a petroleum carrier certificate. In the event such petition is filed prior to September 1, 1947, the petitioner may continue such operations until the commission has issued a final order on such petition. The commission shall hold a public hearing on such petition, and if petitioner shall prove that he is fit and able to operate as a petroleum carrier, and that on or prior to May 1, 1947, he regularly conducted the operations for which authority is sought, the commission shall issue petitioner a petroleum carrier certificate authorizing operations to the extent proved to have been conducted prior to May 1, 1947.

[221.52] **Petroleum carrier subject to Sections 221.04 and 221.10 to 221.17.** Sec. 6. Every petroleum carrier shall be subject to all the provisions, governing the operations of auto transportation companies, contained in Section 221.04 and of Sections 221.10 to 221.17 inclusive, insofar as such provisions are not inconsistent with the operations of petroleum carriers. The commission is empowered to issue such additional regulations governing operations of petroleum carriers as it may deem necessary and proper in the public interest, including public liability and property damage insurance with higher limits than is required of other carriers, more stringent requirements as to equipment and the inspection, maintenance and operation thereof, and requirements as to the examination and qualifications of the drivers thereof.

[221.53] **Application to interstate and intrastate commerce.** Sec. 7. The provisions of this act will apply to petroleum carriers engaged in interstate commerce within this state to the extent that such provisions are consistent with the powers of this state to regulate operations in interstate commerce.

Approved April 7, 1947.