

Contributions so collected shall be paid into the Contribution Fund in partial discharge of the liability of each and every Municipal Housing and Redevelopment Authority in respect thereto. Failure to deduct such contribution shall not relieve the employee or the Municipal Housing and Redevelopment Authority of liability therefor.

Subd. 3. Delinquent payments due under this section, with interest at the rate of six per cent per annum, may be recovered by action in a court of competent jurisdiction against each and every Municipal Housing and Redevelopment Authority liable therefor or may, at the request of the state agency, be deducted from any other moneys payable to such Municipal Housing and Redevelopment Authority by any department or agency of the state.

Sec. 4. [269.14] **Reimbursement by Municipal Housing and Redevelopment Authority.** Each and every Municipal Housing and Redevelopment Authority shall reimburse the state agency for its pro rata share of the cost of the administration of said agency in accordance with the rules and regulations of the state agency pertaining thereto. Such reimbursements shall be paid into the state agency revolving fund.

Sec. 5. [269.15] **Reports.** Each and every Municipal Housing and Redevelopment Authority shall make such reports in such form and containing such information as the state agency may from time to time require, and comply with such provisions as the state agency or the Secretary of Health, Education and Welfare may from time to time find necessary to assure the correctness and verification of such reports.

Sec. 6. [269.16] **Costs defrayed from proceeds of special benefit taxes.** The proceeds of the special benefit taxes authorized to be levied for redevelopment purposes under section 462.545, Subd. 6, may be used to defray all or part of the costs incurred by any housing and redevelopment authority under the provisions of this act.

Approved April 22, 1955.

CHAPTER 685—S. F. No. 1341

An act relating to Port Authority Commissions; amending Minnesota Statutes 1953, Sections 458.09, 458.10, 458.14, 458.17, and 458.18.

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

Section 1. Minnesota Statutes 1953, Section 458.09, is amended to read:

458.09 Port authority commission. A commission to be known as "Port Authority of" is hereby established in and for every city of the state which has, or shall have over 50,000 inhabitants and which is or shall be situated upon, or adjacent to, or which embraces or shall embrace within its boundaries, in whole or in part, a port or harbor located on a navigable lake or stream. Sections 458.09 to 458.19 are expressly declared to be applicable to all such cities, whether now or hereafter existing under a charter framed and adopted under the Constitution of the State of Minnesota, Article 4, Section 36, or not. Where two or more port districts in cities of the first class are adjacent, they shall constitute a metropolitan port district, and there is hereby established therein a joint commission to be known as "..... Port Commission," the further designation in the name to be supplied and adopted by the commission. Such joint commission shall consist, ex officio, of all the commissioners of port authority in each district embraced in the metropolitan port district, and shall perform such functions and have such powers as may be delegated or extended to it by concurrent resolutions adopted from time to time by the port authorities in the constituent port districts. When so authorized such joint commission may exercise any or all the powers conferred by Sections 458.09 to 458.19 upon port authorities. Any such port authority may subsequently withdraw or rescind its action or concurrence in any such resolution, and, upon proper notice thereof, the powers or functions of the joint commission shall to that extent be withdrawn. *Any such port authority or joint commission shall be a body politic and corporate in the State of Minnesota with the right to sue and be sued in the names above designated. Any such port authority shall also be considered a governmental subdivision within the meaning of 1953 Minnesota Statutes, Section 282.01. The exercise by any such authority or commission of any of its powers shall be deemed and held to be essential governmental functions of the State of Minnesota, but any such authority shall not be immune from liability by reason thereof.*

Sec. 2. Minnesota Statutes 1953, Section 458.10, is amended to read:

458.10 Membership. *Subdivision 1.* Such port authority for any city shall consist of three commissioners who shall be appointed by the council of each city in and for which such port authority is hereby created. The first commissioners of any such port authority shall be appointed for terms as

follows: one for two years; one for four years; and one for six years.

Subd. 2. Upon resolution unanimously adopted by any such port authority, it shall consist of seven commissioners. Three commissioners shall be appointed in accordance with subdivision 1; two additional commissioners shall be appointed by the Board of Commissioners of the county in which said city shall be located, one for a term to expire January 1, 1956, and one for a term to expire January 1, 1958; and two shall be appointed by the Governor, one for a term to expire January 1, 1960, and one for a term to expire January 1, 1961. Any port authority expanded in accordance with the provisions of this subdivision shall be deemed to be a continuation of the former commission.

Subd. 3. When the term of any commissioner expires, a successor shall be appointed to serve for a term of six years. A vacancy in the office of any commissioner shall be filled by the appointing authority for such office for the balance of the term in which such vacancy occurs. In the event of the failure of the Governor or Board of Commissioners to act within sixty days from the time a vacancy occurs, the council of any such city shall have sole power to appoint a successor.

Subd. 4. All commissioners shall serve without compensation for their services, or any remuneration, save for expenses incurred in the performance of their duty.

Sec. 3. Minnesota Statutes 1953, Section 458.14, is amended to read:

458.14 Right to levy taxes or special assessments forbidden. The port authority shall have no right or authority to levy any tax or special assessment, nor to pledge the credit of the state, or any other subdivision or municipal corporation thereof, nor to incur any obligation enforceable upon any property, either within or without the port district, other than property owned by the port authority. Annually, at such time as may be fixed by charter, resolution, or ordinance of the city in and for which any such port authority is created, the port authority shall transmit to the council or such city a detailed estimate, in writing, of the amount of money which in its opinion will be required for the business and proper conduct of its affairs during the next ensuing fiscal year, in excess of any expected receipts from the conduct of its business, or other sources, and any such city, in addition to all other powers now possessed thereby, and in addition to, and in excess of any limitation upon the amount it is otherwise permitted by law to levy as taxes, is hereby granted the power and authority, in

its discretion, to levy taxes for the benefit of, and for expenditure by, such port authority, not exceeding in any one year an amount equal to a tax of 15 one-hundredths of one mill upon the dollar of the assessed valuation thereof, upon all the taxable property in such city, excluding money and credits, and any amount so levied for such purposes shall be paid over by the city treasurer to the treasurer of the port authority, for expenditure by it, as above provided. The fiscal year of such port authority shall be identical with the fiscal year of such city. The board of county commissioners of any county in which any such city is located, is also hereby authorized to appropriate for the use of such port authority and to include therefor in its levy for general revenue purposes, such amount as it may deem proper; provided that the total amount permitted by law to be levied by any county for general revenue purposes shall not be deemed increased by this provision; *the board of county commissioners in any county having an area of more than 5,000 square miles and having a population of more than 150,000 persons, containing such a port authority, may, upon receipt of a budget as specified above from such port authority, in its discretion levy taxes for the years 1955-1956 only for the benefit of and for expenditure by such port authority. Such levy shall not exceed in any one year one half mill upon the dollar of assessed valuation upon all the taxable property in such county, excluding monies and credits, and such levy may be made over and above all tax limitations notwithstanding any other provision of law. The appropriation of monies for such contribution shall not be subject to any budgetary law applicable to said county.* Any amounts so appropriated or levied by the county shall be paid over by the county treasurer to the port authority for expenditure by it as herein provided, at such times and in such manner as the county board may provide.

Sec. 4. Minnesota Statutes 1953, Section 458.17, is amended to read:

458.17 Ownership of property. The port authority, in its own name, shall have full power and authority to acquire, purchase, construct, lease, or operate any *bulkheads, jetties, piers, wharves, docks, landing places, warehouses, storehouses, elevators, cold storage plants, terminals, bridges, and such other terminal or transportation facilities as may be necessary or convenient for storing, handling or transporting freight, for the handling of passenger traffic, and for the establishment of rail and water transfer* within the district; to make rules, regulations, and charges for the use thereof, and for any service rendered; for such purposes to own, hold, lease, or operate real and personal property, to borrow money and to secure the

same by bonds or mortgages upon any property held or to be held by it; to sell, *convey*, and exchange any real or personal property owned or held by it in such manner and on such terms as it may see fit, save that no real property owned by the authority shall be so sold, exchanged, or the title thereto transferred without the unanimous vote of all the members of the port authority. The port authority is hereby empowered to acquire by condemnation any property, corporeal or incorporeal, within the port district which may be needed by it for public use; and the fact that the property so needed has been acquired by the owner under the power of eminent domain or is already devoted to a public use shall not prevent its acquisition by the port authority by the exercise of the right of eminent domain hereby conferred. No property now or hereafter vested in or held by the State of Minnesota, or any city, county, village, school district, town, or other municipality, shall be so taken or acquired by the port authority without the consent of the state, municipality, or *governmental subdivision*. The necessity of the taking of any property by the port authority shall be determined by resolution duly adopted by the commissioners, which shall describe the property as nearly as may be and state the use and purpose to which it is to be devoted. The acquisition of such property shall be thereafter accomplished by proceedings by law, as in taking land for public use by right of eminent domain under the laws of the state.

In addition to the power and authority heretofore conferred upon the port authority, the port authority, in its own name, shall have full power and authority to acquire and thereafter operate and maintain any existing vehicular toll bridge across any waters which form a common boundary between any city of the first class in the state and any other city either within or without the state and to reconstruct, improve, and repair such existing bridge; and to construct, maintain, and operate an additional vehicular toll bridge and approaches across these waters at a point suitable to the interests of navigation, and to reconstruct, repair, and improve the same; and to construct, maintain, and operate a tunnel under these waters and to reconstruct, repair, and improve the same; and to issue and sell the negotiable revenue bonds of the port authority for such purposes. Such bonds shall be authorized by resolutions as the port authority may determine from time to time, such resolutions to contain such provisions with respect to the form thereof and maturity, interest rate, sinking fund, redemption, and refunding as are customary and usual; and such bonds shall be issued under a trust indenture from the port authority to a corporate trustee, which indenture shall contain the usual and customary provisions with respect to the

issuance of bonds, the application of the revenues of such bridge or tunnel for the creation of a sinking fund to provide for the payment of such bonds and interest thereon, and for the holding of the proceeds of the bonds in a special trust for the purpose of acquiring or constructing such bridge or tunnel, and for the pledge and assignment by the port authority to the trustee under such trust indenture of the revenues of such bridge or tunnel over and above the cost of operation and maintenance thereof as security for the payment of the principal of and interest on such bonds. The port authority shall establish, maintain, and collect tolls for transit over such bridge or through such tunnel acquired or constructed hereunder sufficient at all times to pay the cost of the operation and maintenance thereof and to pay the principal of and interest on the bonds issued hereunder; and such bonds and the coupons evidencing interest thereon shall constitute an irrevocable contract between the holders thereof and the port authority that such tolls shall always be sufficient therefor. No bonds issued hereunder shall bear interest at a rate exceeding five percent per annum and all such bonds so issued hereunder shall be sold for not less than par and accrued interest to the date of delivery and payment and may be sold at private sale without prior publication of notice thereof. All such bonds issued hereunder shall never constitute an indebtedness of any such city of the first class chargeable to its debt limit or payable from ad valorem taxes, but such bonds shall be payable solely and only from the toll revenues earned by such bridge or tunnel pledged to the payment thereof.

When the port authority determines to acquire any of these existing bridges, or to construct the additional bridge or tunnel, the port authority shall have all rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use such real estate and other property as may be needed for the location, construction, operation, and maintenance of such bridge or tunnel and approaches thereto as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes in the state in which such real estate or other property is situated, upon making just compensation therefor to be ascertained and paid according to the laws of the state in which such property may be located and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such state.

The port authority shall also have full right and power to cause to be made a survey or investigation relating to the proper uses, operations, improvement, and development of the port district, the stimulation of employment by reason thereof, and the benefit to the city and county in which such district

lies and to the State of Minnesota. The port authority may also cause to be prepared a plan for future construction, development, and improvement of the port, which plan may be integrated into any existing or future city plans of any city in the port district. Upon completion of the plan, and after public hearing, such port authority may adopt the same as its official plan for the port district. Thereafter such plan may be extended, modified, or amended after hearing. Upon the adoption of any such plan, all improvements made by such port authority shall conform thereto.

Sec. 5. Minnesota Statutes 1953, Section 458.18, is amended to read:

458.18 Engineers, employment. The port authority shall have power and authority, in its own behalf, to employ such engineering, legal, technical, clerical, stenographic, accounting, and other assistance as it may deem advisable; to enter into contracts for the erection, repair, maintenance, or operation of docks, warehouses, terminals, elevators, or other structures upon or in connection with property owned or controlled by it; *to contract or make other arrangements with the United States Government, or any department thereof, with persons, public corporations, the State of Minnesota or any of its political subdivisions, commissions, or agencies, for separate or joint action, with reference to any matter related to the exercise of the powers or the fulfillment of the duties of such port authority;* to contract for the purchase and sale of real and personal property; provided that no such obligation or expense shall be incurred save upon such terms and at times when existing appropriations, together with the reasonable expected revenue of the port authority from other sources, shall be sufficient to enable the same to be discharged when due; and neither the state nor any municipal subdivision thereof shall be liable on any such obligation.

Approved April 22, 1955.

CHAPTER 686—H. F. No. 202

An act relating to bounties for wild animals; amending Minnesota Statutes 1953, Section 348.071, Subdivisions 1, 3.

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

Section 1. Minnesota Statutes 1953, Section 348.071, Subdivision 1, is amended to read:

348.071 Wolf, lynx, bobcat. Subdivision 1. Every