

(d) *The clerk of municipal court shall send a copy of the order made after the de novo hearing to both parties and return the file to the conciliation court.*

Subd. 7. *With respect to any cause removed from conciliation court to municipal court any judge, other than the judge before whom the cause was tried or heard in conciliation court, may preside at the trial or hearing de novo.*

Subd. 8. *Causes removed from conciliation court to municipal court may be removed from the municipal court to the district court or to the supreme court in the same manner, upon like proceedings, and with the same effect as causes originally brought in the municipal court.*

Subd. 9. *In computing any period of time prescribed or allowed by this act, the day of the act, event, or default after which the designated period of time begins to run, is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday or legal holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation.*

Approved April 1, 1957.

CHAPTER 274—H. F. No. 1497

[Coded]

An act authorizing the state board of health to use duplicating equipment in its Minneapolis office.

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

Section 1. [144.073] **Use of duplicating equipment.** The State Board of Health is authorized to maintain and operate mimeograph or similar type of stencil duplicating equipment in its Minneapolis office to expedite the issuance of communicable disease bulletins and public health information circulars to health officers and other public health workers.

Approved April 1, 1957.

CHAPTER 275—H. F. No. 720

An act relating to aeronautics and public corporations created in connection therewith; amending Minnesota Statutes

1953, Section 360.124, relating to public hearings, and validating certain things done by such public corporations without holding public hearings.

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

Section 1. Minnesota Statutes 1953, Section 360.124 is amended to read:

360.124 New airport, public hearing. *Subdivision 1.* In determining whether a new airport shall be acquired or established or an existing airport expanded by the acquisition of and annexation thereto of additional lands, the corporation shall, before taking any action thereon, hold a public hearing in accordance with the procedure set forth in this act; and in reaching such determination, the corporation shall take into consideration the objectives of the act as set forth in 360.101; and shall take into consideration the use or uses to be made of the new airport or the use or uses to be made of the lands to be acquired and annexed to an existing airport, and shall take into consideration the effect the acquisition or establishment of the new airport will have upon the residents and properties in the area surrounding such new airport, or, in the case of the acquisition and annexation of lands to an existing airport, the effect such acquisition and annexation will have on residents and properties in the area surrounding such lands; and with respect to the new airport to be acquired or established, the commission shall take into consideration, in addition to the foregoing, the adequacy of present airport facilities in the area over which the corporation has jurisdiction, the nature of the terrain at the site thereof and in the vicinity of such site, whether there are safe areas available for expansion purposes, and whether the adjoining area is free from obstructions based on a proper glide ratio; and to aid the commission in giving consideration to such objectives and factors, and in reaching such determination, evidence may be offered and shall be received as to such objectives and factors at the public hearing herein provided for.

Subd. 2. Section 360.124 as thus amended so far as the holding of public hearings is concerned shall operate not only prospectively, but retroactively so as to eliminate the necessity of public hearings, if any were or are required under such section prior to this amendment, as to any and all pending or contemplated alterations, improvements or developments, whether or not contracted for, of any airport under the jurisdiction of the corporation, including but not limited to the addition thereto of structures and facilities for use of or lease to others by the corporation, and all orders, resolutions, motions, plans, and agreements therefor are hereby declared

valid and effective notwithstanding the absence of public hearings with respect thereto, if any were or are required under section 360.124 or under any judicial determination prior to this amendment.

Subd. 3. Minnesota Statutes 1953, Sections 645.31 and 645.35, shall not be construed to apply to this act.

Approved April 3, 1957.

CHAPTER 276—H. F. No. 427

An act relating to tests for alcohol in regulating traffic on highways; amending Minnesota Statutes 1953, Section 169.12, Subdivision 2, as amended.

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

Section 1. Minnesota Statutes 1953, Section 169.12, Subdivision 2, as amended by Laws 1955, Chapter 487, Section 1, is amended to read:

Subd. 2. Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving or operating a motor vehicle while under the influence of intoxicating liquor, the court may admit evidence of the amount of alcohol in the person's blood taken voluntarily within two hours of the time of the *offense* as shown by a medical or chemical analysis of his breath, blood, urine or saliva. For the purposes of this section (a) evidence that there was at the time 0.05 percent or less by weight of alcohol in the person's blood is prima facie evidence that such person was not under the influence of intoxicating liquor; (b) evidence that there was at the time more than 0.05 percent and less than 0.15 percent by weight of alcohol in the person's blood is relevant evidence but it is not to be given prima facie effect in indicating whether or not the person was under the influence of intoxicating liquor; (c) evidence that there was at the time 0.15 percent or more by weight of alcohol in the person's blood may be admitted as prima facie evidence that the person was under the influence of intoxicating liquor.

The foregoing provisions shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not such person was under the influence of intoxicating liquor.

Approved April 3, 1957.
