

for three years, based on classifications made by the commissioner.

(6) To suspend or revoke any license or certificate of registration of an aircraft, airman, licensee of commercial operations, or aeronautics instructor, issued by him, or to refuse to issue any such license or certificate of registration, when he shall reasonably determine that any aircraft is not airworthy or that any airman, licensee of commercial operations, or aeronautics instructor is not qualified has engaged in advertising by means of false or deceptive statements, has been found guilty of gross incompetency or gross negligence, has been found guilty of fraud, dishonesty, forgery, or theft, has wilfully violated the provisions of sections 360.013 to 360.075, the rules and regulations prescribed pursuant thereto, or any other statute of this state relating to aeronautics, or any act of congress or any rule or regulation promulgated pursuant thereto, is addicted to the use of narcotics or other habit forming drug or to the excessive use of intoxicating liquor, has made any false statement in any application for registration of a federal license, certificate or permit, or has been guilty of other conduct, acts, or practices dangerous to the public safety and the safety of those engaged in aeronautics.

Section 2. Minnesota Statutes 1957, Section 360.511, Subdivision 4, is amended to read:

Subd. 4. "Air commerce" means the transportation by aircraft of persons or property for hire in interstate, intrastate, or international transportation on regularly scheduled flights by airline companies operating under a certificate of convenience and necessity issued by the United States Civil Aeronautics Board.

Section 3. Minnesota Statutes 1957, Section 360.531, Subdivision 3, is amended to read:

Subd. 3. First year of life. "*First year of life*" means the year of model designation of the aircraft, or, if there be no model designation it shall mean the year of manufacture.

Approved April 24, 1959.

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#### CHAPTER 447—H. F. No. 1857

*An act pertaining to Port Authorities in cities of the first class, and amending Minnesota Statutes 1957, Sections 458.11, 458.16, 458.18, and 458.194.*

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

Section 1. Minnesota Statutes 1957, Section 458.11, is hereby amended to read:

458.11 **By-laws and rules; duties.** The commissioners constituting such port authority may adopt by-laws and rules of procedure governing their action, not inconsistent with this or other laws, and shall adopt an official seal. They shall elect from among their number a president, a vice-president and a treasurer, and shall also elect a secretary and an assistant treasurer who may or may not be a member of such commission; any of said offices except those of president and vice-president may be held by one commissioner. The officers shall have the duties and powers usually attendant upon such offices, and such other duties and powers not inconsistent herewith, as may be provided by the port authority. The treasurer shall receive and be responsible for all moneys of the port authority from whatever source derived, and the same shall be deemed public funds; he shall also be responsible for the acts of the assistant treasurer. *He shall disburse the same only on check signed by himself and any other one officer of said port authority who shall be designated by resolution of the port authority, and each check shall state the name of the payee and the nature of the claim for which the same is issued.* He shall keep an account of all moneys coming into his hands, showing the source of all receipts, and the nature, purpose and authority of all disbursements, and at least once each year, at times to be determined by the port authority, shall file with the secretary a detailed financial statement of the port authority showing all receipts and disbursements, the nature of the same, the moneys on hand, and the purposes for which the same are applicable, the credits and assets of the port authority and its outstanding liabilities, which report together with the treasurer's vouchers, shall be examined by the port authority and if found correct approved by resolution entered on the records. The assistant treasurer shall have the powers and perform the duties of the treasurer in the event of the absence or disability of the treasurer. The treasurer of every port authority shall give bond to the state in a sum equal to twice the amount of money which will probably be in his hands at any time during any one year of his term, that amount to be determined at least annually by the port authority, such bond to be conditioned for the faithful discharge of his official duties, and to be approved as to both form and sureties by the port authority and filed with its secretary; such bond, however, shall not exceed \$300,000.

Sec. 2. Minnesota Statutes 1957, Section 458.16, is hereby amended to read:

458.16 **Power and duties.** It shall be the general duty of any such port authority to promote the general welfare of the port district, and of the port as a whole; to endeavor to increase the volume of the commerce thereof; to promote the efficient, safe and economical handling of such commerce, and to provide or promote adequate docks, railroad and terminal facilities open to all upon reasonable and equal terms for the handling, storage, care and shipment of freight and passengers to, from and through the port. It shall further be the special duty of such port authority:

(1) To confer with any similar body created under laws of any state embracing within its boundaries any part of any port or harbor of which the port district forms a part, and in so far as agreement shall be possible to adopt in conjunction with said similar body a comprehensive plan for the regulation and future development and improvement of the entire harbor and port;

(2) To consider and adopt detailed and comprehensive plans for the regulation, future development and improvement of the port district, which plans shall, so far as may be, be consistent with the general plan above referred to;

(3) To confer from time to time with any such similar body and, so far as may be, to agree therewith upon legislation and regulations needed for the regulation and control of the port as a whole, and to recommend the adoption of such legislation and regulations to the appropriate councils, legislatures or other legislative and regulatory bodies;

(4) To determine upon legislation and regulations needed for the regulation and improvement of the conduct of navigation and commerce within the port district and to similarly recommend the same;

(5) Either jointly with a similar body, or separately, to recommend to the proper departments of the government of the United States, or any state or subdivision of either, or to any other body, the carrying out of any public improvement for the benefit of the port or port district;

(6) To investigate the practices, rates and conduct of privately owned or operated dock, terminal and port facilities within the port district, and to institute such proceedings and take such steps to remedy any abuses as may seem in the public interest; in connection with any such investigation, the port authority shall have power, by subpoena issued out of the district court of the county where the port authority is situated, to require the attendance of witnesses and the pro-

duction of books and documents, and to examine witnesses under oath;

(7) Annually in January of each year to make written report to the council of such city, giving a detailed account of its activities and of its receipts and expenditures during the preceding calendar year, together with such further matters and recommendations as it shall deem advisable for the advancement of the commerce and welfare of the port district;

(8) *Such port authorities as are hereby created and existing under the provisions of this Act in the city of St. Paul shall have jurisdiction over recreation and recreation facilities along the river or the lands abutting thereon, and are hereby authorized to expend port authority moneys therefor, and shall have power to construct and maintain recreational facilities and set up regulations in conjunction therewith, either individually as such port authority or in cooperation with the United States Coast Guard, the local police department or the local department of parks and playgrounds. Such port authority, if it operates under this specific section, shall not have any police power; and this subsection shall not apply to any seaway port authority in the State of Minnesota; and*

(9) *Any port authority operating under the provisions hereof and also under the provisions of Minnesota Statutes Sections 458.191 to 458.1991 inclusive shall be authorized to deposit all funds and income accruing to it from any source whatsoever, whether it be the operation of the said port authority under the provisions of this Act or its operations under Minnesota Statutes, Sections 458.19 to 458.1991, in a single bank account in a banking depository authorized by law.*

Sec. 3. Minnesota Statutes 1957, Section 458.18, is hereby amended to read:

**458.18 Employees; contracts.** 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; any employee of any port authority created and existing under and pursuant to the provisions of this act shall be considered as an "employee" as the term is used and defined in Laws of Minnesota 1955, Chapter 665, and shall by appropriate action of said port authority be entitled to the benefits provided for in this statute; 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.

Sec. 4. Minnesota Statutes, Section 458.194, is hereby amended to read:

**458.194 Revenue bonds.** *Subdivision 1. The authority is hereby authorized and empowered to provide by resolution for the issuance at one time, or in series from time to time, of revenue bonds of the authority for the purpose of providing funds for paying the cost of the acquisition of land necessary for the operations of the port authority, for the purchase, construction and operation of any port facilities, including docks, wharves, warehouses, piers and any other port terminal or transportation facility within its jurisdiction, or for paying the cost of any extensions, enlargements or improvements of any project under control of the authority. Such bonds, and any interest coupons to be attached thereto, shall be executed in such manner as may be determined by resolution of the port authority.*

*Subd. 2. The bonds of each series issued by the port authority under the provisions of this section shall bear interest at a rate or rates not exceeding six per cent per annum payable semi-annually and shall mature in annual or semi-annual installments within 30 years, commencing not later than 5 years from the date of issuance, as may be determined by the port authority.*

*Subd. 3. The sale of such revenue bonds issued by the port authority shall be at public sale pursuant to Minnesota Statutes 1957, Section 475.60. Such bonds may be sold in the manner and for the price that the port authority determines to be for the best interest of the port authority, but no such sale shall be made at a price so low as to require the payment of interest on the money received therefor at more than six*

*per cent per annum, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, excluding from such computation the amount of any premium to be paid on redemption of any bonds prior to maturity. Such bonds may be made callable, and if so issued may be refunded.*

*Subd. 4. The port authority shall have the power and authority to enter into all contracts, agreements and covenants with any trustee for the purposes of carrying out the powers and authority given to the port authority under this section of the act for the issuance of revenue bonds.*

*Subd. 5. In the issuance of the revenue bonds herein provided, the port authority shall have the power and the authority to secure the payment of the principal and the interest on said revenue bonds by a pledge of and lien upon the revenues of such port authority derived from all net rentals, fees or other revenues of the facility and improvements to be acquired or constructed and the covenant of the port authority to maintain sufficient rates and charges to produce adequate revenues to meet the interest and principal requirements of such bonds.*

Subd. 6. Revenue bonds issued under the provisions of this section shall not be deemed to constitute a debt of the city of the first class in which such authority is located and for which it has been created, nor a pledge of the full faith and credit of any such city of the first class, but such bonds shall be payable solely from the funds herein provided therefor from revenues of the projects. All such revenue bonds shall contain on the face thereof a statement to the effect that neither the port authority nor the city of the first class in which the port authority has been created shall be obligated to pay the same or the interest thereon except from revenues, and that neither the faith and credit nor the taxing power of such city of the first class is pledged to the payment of the principal of or the interest on such bonds.

Subd. 7. If the proceeds of the revenue bonds of any series issued under the provisions of this section, by reason of increased construction costs or error in estimates or otherwise, shall be less than the amount required for the purpose for which such bonds are authorized, additional bonds may in like manner be issued to provide the amount of such deficiency and shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued. If the proceeds of such bonds shall exceed the amount so required, such excess shall be de-

posited to the credit of the sinking fund for such bonds or, if so provided in the trust agreement securing such bonds, may be applied to the cost of any additional facility under the jurisdiction of such port authority.

Approved April 24, 1959.

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CHAPTER 448—H. F. No. 1876

[Not Coded]

*An act relating to time; authorizing the City of New Prague to adopt a time other than standard.*

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

Section 1. **New Prague, daylight saving time.** The governing body of the city of New Prague may adopt a standard of time one hour in advance of standard time.

Sec. 2. Section 1 shall be effective upon its approval by a majority of the members of the governing body of the city of New Prague.

Approved April 24, 1959.

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CHAPTER 449—H. F. No. 1066

[Not Coded]

*An act relating to the water, light, power, and building commission of the Village of Hibbing; amending Laws 1949, Chapter 422, Section 1 and Section 3, Subdivision 5, as amended.*

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

Section 1. Laws 1949, Chapter 422, Section 1, as amended by Laws 1951, Chapter 680, Section 1, is amended to read:

Section 1. **Hibbing, water, light, power and building commission.** In the village of Hibbing the water, light, power, and building commission shall have the duties and powers as hereinafter set forth.

Sec. 2. Laws 1949, Chapter 422, Section 3, Subdivi-