

CHAPTER 113—H. F. No. 744

[Coded in Part]

An act relating to aeronautics; providing for the registration of certain aircraft, the taxation thereof and exemption therefrom; amending Minnesota Statutes 1961, Chapter 360, by adding a new section thereto; and Section 360.55, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Chapter 360, is amended by adding a new section thereto to read:

[360.532] Aircraft; nonresident commercial operations; subject to tax. *Any aircraft of which a nonresident has the right to possession and which is used for commercial operations in this state shall be registered in this state before said aircraft is used for such commercial operations, except that aircraft used for charter which a nonresident has the right to possession need not be so registered if while in the state he does not advertise, represent, or hold himself out as giving or offering to provide such service with such aircraft. Aircraft registered under this section shall not be entitled to a refund under 360.62 except if destroyed or for errors in computing the tax or fees and for the error on the part of an owner who may have registered an aircraft that was not before or at the time of such registration, or at any time thereafter during the current past year, subject to such tax in this state, or the aircraft is sold to a nonresident who is not engaged in a commercial operation in this state.*

Sec. 2. Minnesota Statutes 1961, Section 360.55, Subdivision 1, is amended to read:

360.55 Exemptions. Subdivision 1. **Nonresident, non-commercial operators.** *Subject to the exceptions set forth in section 1 of this act, any aircraft owned by a nonresident of this state and transiently or temporarily using the air space overlying this state or the airports thereof, shall be exempt from taxation under the provisions of sections 360.511 to 360.67 unless it uses the air space overlying this state or the airports thereof for more than 60 days in any calendar year. The operation of an aircraft in the airspace overlying this state or the use of airports within this state for any purpose at any time during one day shall be considered as use for one complete day. Aircraft owned by nonresidents, on the ground at an airport in this state for major repairs, shall not be considered as using the airports of this state while being repaired and while awaiting return*

Changes or additions indicated by italics, deletions by strikeout.

to the nonresident owner provided however, such waiting period shall not exceed 60 days from completion of the repairs.

Approved March 22, 1963.

CHAPTER 114—S. F. No. 400

[Coded in Part]

An act relating to entomology, nurseries, insects, plant diseases; providing changes to the plant pest act; amending Minnesota Statutes 1961, Section 18.48, Subdivision 1, and adding a subdivision thereto; and 18.52, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Section 18.48, Subdivision 1, is amended to read:

18.48 Plant pest act; authority. Subdivision 1. **Entry and inspection.** The commissioner or his employees may enter and inspect any public and private place which might harbor plant pests and may require that the owner destroy or treat plant pests, plants or other material. Should the owner fail to properly comply with a directive of the commissioner or his employee within a reasonable given period of time, the commissioner may have any necessary work done at the owner's expense. *If the owner does not reimburse the commissioner for such expense within a time period to be specified by the commissioner, the expense is a charge upon the county as provided in section 2 of this act.* If a dangerous plant pest infestation or infection threatens plants of any area within the state, the commissioner or his employees shall have the power to take any measures necessary to eliminate or alleviate the danger. The commissioner has the authority to collect fees as may be required by the plant pest act. *The commissioner may issue and enforce a written or printed "stop-sale" order to the owner or custodian of any nursery stock if fees required by the plant pest act are not paid. The commissioner's order shall direct that the nursery stock shall be held at a designated place until the required fees have been paid and the nursery stock is released in writing by the commissioner. However, the owner or custodian has the right to appeal from such order to a court of competent jurisdiction in the county or city where the nursery stock is found, praying for a judgment as to the justification of the order, and for the discharge of the nursery stock from the order prohibiting the sale in accordance with the findings of the court. The*

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