

erly of a line parallel with and distance 175 feet southerly of the following line; beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of Section 9, Township, 107 North, Range 20 West, easterly along the north line of said Section 9, 622.7 feet, deflect to right on a 1°0' curve, delta angle 4°24', thence on a tangent to said curve 1,631.2 feet.

Approved April 22, 1953.

CHAPTER 636—H. F. No. 1117

[Coded]

An act relating to Minnesota aeronautics fund, providing for the issuance of certificates of indebtedness for the raising of necessary additional funds to construct, improve, maintain, and operate, and assist counties, cities, towns, villages, boroughs, and public corporations in constructing, improving, maintaining, and operating, airports and other air navigation facilities and to assist this state and its municipalities in matching federal funds for such purposes, for the levying of taxes, authorizing the state board of investment to purchase such certificates of indebtedness, and appropriating moneys for the purposes of this act.

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

Section 1. [360.383] **Additional moneys, aeronautics fund.** [Subdivision 1.] **Supplemental.** To provide additional moneys for the Minnesota Aeronautics Fund created by Minnesota Statutes 1945, Sections 360.301 to 360.306, for the purposes hereinafter specified, the state auditor is hereby authorized and directed to levy upon all taxable property in this state, in the manner in which other state taxes are levied, for the taxable years of 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, and 1966, taxes sufficient to produce the sum of \$60,000 for each of said taxable years, together with such additional sums as may be necessary to pay the interest upon the certificates of indebtedness hereinafter authorized. In the case of a deficiency in the proceeds of such tax levy for any year, the auditor shall levy additional amounts in succeeding years to compensate therefor until the full amount herein authorized has been raised. The proceeds of such taxes shall be credited to the Minnesota Aeronautics Fund.

Sec. 2. [Subd. 2.] **Certificates of indebtedness.** Pending the levy and collection of such taxes, upon request of

the commissioner of aeronautics, the state auditor is hereby authorized and directed to issue and sell certificates of indebtedness of this state, as funds are needed for the purposes of this act, not exceeding the amount required from time to time to meet the appropriations hereinafter made and not exceeding \$600,000 in the aggregate. Such certificates shall be known as "Minnesota Aeronautics Certificates of Indebtedness, series V," shall be numbered consecutively, and shall be issued and sold at not less than par upon sealed bids after two weeks' published notice, unless sold to the state board of investment as hereinafter provided. Such certificates shall be in such form and of such denominations and shall mature at such times as the state auditor may determine, not exceeding the time when funds shall be available for the payment thereof from the tax levies authorized by section 1 of this act. All certificates maturing more than six years after their date must be made redeemable at par at the expiration of such six years and on each interest payment date thereafter upon such notice as the state auditor shall determine prior to their issuance. Such certificates shall bear such rate of interest, payable semi-annually, and shall contain such other terms and provisions not inconsistent herewith, as the state auditor may determine. The certificates shall be signed by the state treasurer and attested by the state auditor under their official seals, and the auditor and treasurer shall keep records thereof. The certificates shall be a charge upon and a lien against the taxes authorized by section 1 of this act. The principal and interest of the certificates, except as provided in section 6 of this act, shall be payable only from the proceeds of such taxes, and so much thereof as may be necessary is hereby appropriated for such payments; provided, that such interest as may become due at any time when there is not on hand a sufficient amount from the proceeds of such taxes to pay the same shall be paid out of the general revenue fund, and the amount necessary therefor is hereby appropriated, to be reimbursed from the proceeds of such taxes when received. All moneys received from the sale of the certificates shall be credited to the Minnesota Aeronautics Fund.

Sec. 3. [Subd. 3.] Authorized investment. The state board of investment is hereby authorized to invest any funds under its control or direction in any certificates of indebtedness issued hereunder and to purchase such certificates at a rate of interest not exceeding three percent per annum, and such certificates may be issued and sold to the board without advertising for bids.

Sec. 4. [Subd. 4.] Appropriation. There is hereby appropriated to the Governor out of the Minnesota Aeronautics

Fund, for the purposes hereinafter specified, the sum of \$600,000 for the biennium period ending June 30, 1955, which appropriation is hereby made available in such amounts and at such times as may be deemed necessary by the governor to carry out the purposes of this act. Any balance remaining at the end of any fiscal year shall be carried over and shall be available for the purposes of this act until July 1, 1955, and thereafter until all obligations theretofore incurred hereunder have been paid.

Sec. 5. [Subd. 5.] **Expenditure.** Subdivision 1. [(1)] The moneys hereby appropriated to the governor shall, from time to time, upon his authorization, be used to assist counties, cities, towns, villages, boroughs and public corporations in constructing, improving, maintaining, and operating airports and other air navigation facilities, and for the purpose of assisting this state and counties, cities, towns, villages, boroughs, and public corporations thereof in matching federal funds for the acquisition, construction, improvement, maintenance and operation of such airports and other air navigation facilities, whether such work is to be done by the state or by such municipalities, or jointly, aided by grants of aid from the United States; provided, that of the moneys hereby appropriated, the governor shall not authorize the expenditure of more than \$250,000 on the state key system of airports, including radio navigational aids; more than \$50,000 on the state secondary system of airports; more than \$150,000 on the state landing strip system; more than \$20,000 on snow removal; more than \$18,400 on emergency and miscellaneous expenditures of which not more the \$8,000 may be used for new aircraft acquisition for the department of aeronautics; or more than \$111,600 for department of aeronautics salaries, except as provided in subdivision 2 of this section.

Subd. 2. [(2)] The governor may on his own initiative or upon application by the commissioner of aeronautics authorize an increase in the provisional limitations on the amounts to be expended as provided in subdivision 1 hereof.

Subd. 3. [(3)] The governor shall not authorize the expenditure of any moneys appropriated by this act, or the increase, under authority of subdivision 2 of this section, of any of the provisional limitations therein referred to until he has consulted the legislative advisory committee created by Laws 1941, Chapter 497, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions of this subdivision shall extend to

any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Subd. 4. [(4)] Before any expenditure of any of the moneys hereby appropriated to assist political subdivisions, municipalities, and public corporations in acquiring, constructing, improving, maintaining, and operating airports and other air navigation facilities may be authorized, the commissioner of aeronautics shall have made, with approval of the governor, his order designating the municipalities and airports which are a part of the key airport system, the secondary airport system, the landing strip system, and the state system of radio navigational aids. For the purposes of this act, the key system airports shall be those being served by or intended to be served by scheduled air carriers and large multi-engine aircraft and shall not exceed a total of thirty. The secondary system shall consist of airports designed for or having active commercial operations other than scheduled air service and shall not exceed a total of thirty-five and the landing strip system shall consist of landing strips in the rural areas not designed for commercial activities and the total number shall not exceed 55. He may amend such order from time to time to expand or modify the airport system to best serve the interests of the state, subject to the approval of the governor. The governor shall require as a condition of such assistance by the state, that the political subdivision, municipality, or public corporation itself make a substantial contribution to the cost of construction, improvement, maintenance, or operation in connection with which the assistance by the state is sought for all key system and secondary system airports of not less than one-third of the project costs, if state and local funds only are to be used, or not less than one-sixth of the project costs, if federal, state and local funds are to be used; provided, that he may authorize the commissioner of aeronautics to pay from moneys made available to him the total cost of establishing and maintaining radio navigational aids on condition that the municipality or public corporation agree to pay the operating costs, and that he may pay one-half the actual snow removal costs but not more than \$250 per year to any city no portion of which shall be expended for the purchase of equipment; and provided further, that he may authorize the commissioner of aeronautics to pay from moneys made available to him one-half the land acquisition costs for landing strips and all of the construction costs for landing strips, but in no event may he expend more than \$12,500 on any one landing strip from the moneys hereby appropriated.

Subd. 5. [(5)] Before authorizing any expenditure of any of the moneys hereby appropriated the governor shall issue his order allocating the amount of moneys estimated to be required, and the commissioner of aeronautics shall certify that the improvements to be made or the work to be accomplished is in the interest of the state and in compliance with the laws of the state and the provisions of this act. Upon completion of the work or project for which the funds are allocated and on final payment discharging the state's obligation the commissioner of aeronautics shall certify such facts to the governor and he shall issue his order releasing any unexpended portions of the moneys first allocated and such moneys shall be available to him for allocation to another project or other authorized work as provided by this act.

Subd. 6. [(6)] The commissioner of aeronautics is hereby authorized, subject to the approval of the governor, to make and amend such rules and regulations, not inconsistent with law, as are necessary for the administration of this act.

Subd. 7. [(7)] The commissioner of aeronautics shall cause to be prepared or supervise the preparation of plans and specifications for the construction, improvement and maintenance of all airports on which expenditures are made pursuant to this act; approve such plans and specifications; supervise and inspect all work relating to those airports or radio navigational aids; approve all lawful changes in plans and specifications; approve estimates for payments; and approve the construction when completed according to such plans and specifications.

Sec. 6. [Subd. 6.] **Transfers.** Subdivision 1. [(1)] On November 1, 1957, and on the first day of November in each year thereafter up to and including November 1, 1966, there shall be transferred from the State Airports Fund, otherwise created by law, to the Minnesota Aeronautics Fund out of any moneys remaining in said State Airports Fund after the transfer provided by Minnesota Statutes 1949, Sections 360.306 and 360.36, and after any reimbursement of the general fund therefrom, otherwise provided by law, the sum of \$60,000 and such additional sums as may be necessary to pay interest on any certificates of indebtedness issued and sold pursuant to section 2 of this act and to compensate for any deficiencies in the proceeds of tax levies authorized by section 1 of this act for any prior year, or so much of the total of said sums as may be available in the State Airports Fund for transfer. If sufficient funds are made available by the transfer, the tax levy for that taxable year provided for by section 1 of this act shall be canceled and shall not be made; otherwise the

amount to be raised by the tax levy for that taxable year shall be reduced by the amount transferred. The state auditor and the state treasurer are authorized and directed to make the appropriate entries in the accounts of the respective funds.

Subd. 2. [(2)] All moneys transferred from the State Airports Fund to the Minnesota Aeronautics Fund shall be available for the payment of outstanding certificates of indebtedness and interest thereon and deficiencies in the proceeds of prior tax levies, if any, in the same manner as the proceeds of taxes provided for in section 1 of this act, and so much thereof as may be necessary is appropriated for such payments.

Subd. 3. [(3)] Notwithstanding any provision of any other statute appropriating moneys in the State Airports Fund, all those moneys over and above the amounts required to be transferred as provided by Minnesota Statutes 1945, Sections 360.306 and 360.36, and the amounts required to reimburse the general revenue fund as otherwise provided by law, shall be used only for the purpose of making the transfers provided for by subdivision 1 of this section and thus reducing the amounts to be raised by the tax levies provided for by section 1 of this act, until after the date prescribed for the making of the last of those levies, or until they are otherwise canceled by law.

Subd. 4. [(4)] The appropriation to the governor made by section 4 is in addition to any other appropriation made to him out of the Minnesota Aeronautics Fund by any other statute.

Approved April 22, 1953.

CHAPTER 637—H. F. No. 1242

[Not Coded]

An act providing that counties or cities of the state may indemnify officers, nurses, physicians, and other hospital employees for loss or expense arising or resulting from malpractice or negligence claims.

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

Section 1. Joint county and city hospital, indemnifying of employees. Any county containing a city of the first class and city of the first class operating jointly a public hospital in a county containing not less than 300,000 or more than 450,000 population may indemnify officers, nurses, physicians, and other employees for loss or expense arising from malpractice