

MINNESOTA STATUTES 1977 SUPPLEMENT

AERONAUTICS 360.067

Subd. 4. The fees allowed for the service of an execution, for advertising thereon, and for filing certificate with the county recorder shall be collected by virtue thereof and in the same manner as the sum therein directed to be levied.

Subd. 5. [Repealed, 1977 c 338 s 4]

Subd. 6. This section shall not relate to or affect the fees of the sheriff of Ramsey county.

Subd. 7. All special laws relating to sheriffs' fees and mileage allowance which are inconsistent with the provisions of Laws 1977, Chapter 338 are superceded to the extent of the inconsistency.

[1977 c 338 s 1-3,5,6]

357.10 [Repealed, 1977 c 338 s 4]

357.26 [Repealed, 1977 c 286 s 21]

CHAPTER 360. AERONAUTICS

Sec.
360.042 Joint operations.
360.063 Zoning regulations.

Sec.
360.067 Permits, variances.
360.072 Judicial review.
360.59 Registration and listing.

360.042 Joint operations.

[For text of subds 1 to 13, see M.S.1976]

Subd. 14. **Out of state airports; application of state law.** Any airport located outside this state shall be treated under this chapter as an airport located within this state if that airport is acquired, constructed, operated or maintained pursuant to a joint agreement between a municipality in this state and an adjoining state or municipality therein. The commissioner shall not expend state money to pay the cost of any project at any such airport except to assist a municipality in this state to pay its share of the costs of the project as set forth in a joint agreement.

[1977 c 211 s 1]

360.063 Zoning regulations.

[For text of subds 1 to 6, see M.S.1976]

Subd. 6a. **Review of variances granted when board of adjustment fails to act.** When the commissioner receives notice that an airport zoning variance has been granted by reason of the failure of a board of adjustment to act on the variance as provided in section 360.067, subdivision 2, he shall review the application and may amend or rescind the variance if he finds that this action is required to protect the public safety. No action of the commissioner pursuant to this subdivision shall be effective unless the commissioner notifies the applicant of that action within 60 days after receiving notice that the variance was granted. Any action taken by the commissioner pursuant to this subdivision shall be subject to review by the courts as provided in section 360.072.

[For text of subds 7 and 8, see M.S.1976]

[1977 c 236 s 1]

360.067 Permits, variances.

[For text of subd 1, see M.S.1976]

360.067 AERONAUTICS

Subd. 2. **Variances.** Any person desiring to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of airport zoning regulations adopted under chapter 360, may apply to the board of adjustment, hereinafter provided for, for a variance from the zoning regulations in question. If a person submits an application for a variance by certified mail to the members of the board and the board fails to grant or deny the variance within four months after the last member receives the application, the variance shall be deemed to be granted by the board. When the variance is granted by reason of the failure of the board to act on the variance, the person receiving the variance shall notify the board and the commissioner of transportation by certified mail that the variance has been granted. The applicant shall include a copy of the original application for the variance with this notice to the commissioner. The variance shall be effective 60 days after this notice is received by the commissioner subject to any action taken by the commissioner pursuant to section 360.063, subdivision 6. Such variances shall be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of the regulations and chapter 360; provided, any variance may be allowed subject to any reasonable conditions that the board of adjustment may deem necessary to effectuate the purposes of this act.

[For text of subds 3 and 4, see M.S.1976]

[1977 c 236 s 2]

360.072 Judicial review.

Subdivision 1. **Petition.** Any person aggrieved, or taxpayer affected, by any decision of a board of adjustment, or of any action of the commissioner taken under section 360.063, subdivisions 6 or 6a, or any governing body of a municipality or county, or any joint airport zoning board, which is of the opinion that a decision of a board of adjustment or action of the commissioner is illegal may present to the district court of the county in which the airport involved, or the major portion thereof, is located a verified petition setting forth that the decision or action is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the decision is filed in the office of the board, or the action taken by the commissioner.

[For text of subds 2 to 7, see M.S.1976]

[1977 c 236 s 3]

360.59 Registration and listing.

[For text of subds 1 to 9, see M.S.1976]

Subd. 10. **Certificate of insurance.** Every owner of aircraft in this state when applying for registration, reregistration, or transfer of ownership shall supply any information the commissioner reasonably requires to determine that the aircraft is covered by an insurance policy with limits of not less than \$25,000 per passenger seat liability both for passenger bodily injury or death and for property damage; not less than \$25,000 for bodily injury or death to each non-passenger in any one accident; and not less than \$50,000 per occurrence for bodily injury or death to non-passengers in any one accident. The information shall include but is not limited to the name and address of the owner, the name of the insurer, the insurance policy number, the term of the coverage, policy limits and any other data the commissioner requires. No certificate of registration shall be issued pursuant to subdivision 3 in the absence of the information required by this subdivision or the commissioner. In the event of cancellation of the insurance the insurer shall notify the department of transportation at least ten days prior to the date on which the insur-

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ance coverage is to be terminated. Unless proof of a new policy of insurance is filed with the department the registration certificate for the aircraft shall be revoked forthwith. Provided, however, that nothing in this subdivision shall be construed to require an owner of aircraft to maintain passenger seat liability coverage on aircraft for which an experimental certificate has been issued by the Administrator of the Federal Aviation Administration pursuant to 14 C.F.R., sections 21.191 to 21.195 and 91.42, whereunder persons operating the aircraft are prohibited from carrying passengers in the aircraft. Whenever the aircraft becomes certificated to carry passengers, passenger seat liability coverage shall be required as provided in this subdivision.

[1977 c 365 s 3]

CHAPTER 362. ECONOMIC DEVELOPMENT

Sec.
362.09 Commissioner; advisory committee.
362.125 Promotional expenses.

Sec.
362.41 Community development corporations.
[New]

362.09 Commissioner; advisory committee.

Subdivision 1. The department shall be under the supervision and control of a commissioner of economic development who shall be appointed by the governor under the provisions of section 15.06. He shall be chosen with regard to his knowledge, training, experience, and ability in administering the functions of the department.

The commissioner shall appoint a deputy commissioner.

[For text of subs 2 to 4, see M.S.1976]

[1977 c 305 s 37]

362.125 Promotional expenses.

In the promotion of tourism and economic development of the state of Minnesota, the state commissioner of economic development may expend from moneys appropriated by the legislature for such purposes in the same manner as private persons, firms, corporations and associations make expenditures for such purposes. For purposes of allotment, encumbrance and disbursement all transactions for promotional purposes shall be coded under the commissioner of finance's object of expenditure code for advertising. The encumbrance shall be made on a miscellaneous encumbrance requisition. Any such expenditures for food, lodging or travel shall not be governed by the travel regulations of the commissioner of administration.

[1977 c 455 s 84]

362.41 Community development corporations.

Subdivision 1. For the purposes of this section, the following terms shall have the meanings given them:

Subd. 2. "Economic development region" means an area so designated in the governor's executive order number 60, dated June 12, 1970, as amended.

Subd. 3. "Federal poverty level" means the income level established by the United States Community Services Administration in 45 CFR 1060.2-2.

Subd. 4. "Low income" means an annual income below the federal poverty level.

Subd. 5. The director of the state planning agency shall administer this section and shall enforce the rules related to the community development corporations promulgated by the department of economic development. The director may amend, suspend, repeal or otherwise modify these rules as provided for in chapter 15.

Subd. 6. The director shall designate a community development corporation as eligible to receive grants pursuant to this section if the corporation: