

of action or defense in an action commenced at any time within one year after the removal of the disability.

Sec. 2. [Subd. 2.] In cases where the lands are and ever since the time of filing the auditor's certificate of forfeiture under section 281.23, subdivision 8, have been in the actual, open, continuous, and exclusive possession of the owner, or his successors in interest, claiming adversely to the state or its successors in interest, the running of the period of limitations provided in section 1 shall be suspended as to such owner, or his successors in interest, during the time of such possession, but no longer.

Sec. 3. [Subd. 3.] Any person, partnership, corporation, or claimant failing to commence an action or assert a defense within the time prescribed by section 1 shall be conclusively presumed to have abandoned all right, title, and interest in the lands described in the county auditor's certificate of forfeiture, with certificate of forfeiture when filed under Minnesota Statutes, Section 281.23, Subdivision 8, shall constitute notice of the forfeiture of the lands affected to all persons having or claiming an interest therein.

Sec. 4. [Subd. 4.] Section 1 of this act shall not apply to any action or proceeding pending at the effective date hereof.

Sec. 5. [Subd. 5.] The limitations prescribed in section 1 shall apply only to jurisdictional defects occurring in tax forfeiture proceedings.

Approved May 22, 1963.

CHAPTER 811—H. F. No. 908

An act relating to villages; providing for appointments to fill vacancies; amending Minnesota Statutes 1961, Section 412.02, Subdivision 2.

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

Section 1. Minnesota Statutes 1961, Section 412.02, Subdivision 2, is amended to read:

Subd. 2. **Villages; vacancies in offices.** Terms of village elective officers shall commence on the first business day of January following the election at which the officer is chosen. All officers chosen and qualified as such shall hold office until their successors qualify. Vacancies in office shall be filled ~~for the remainder of the term~~ by the council; *within 60 days after the vacancy occurs.* In

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case of a tie, the mayor shall fill the vacancy by appointment for the ~~unexpired term~~. *Appointments to fill vacancies in office occurring before the first day to file affidavits of candidacy for the annual village election shall expire upon the qualification of a successor elected at such election and the office shall be filled at such election for the unexpired portion, if any, of the term. Except where the office is to be filled at the annual village election, appointments to fill vacancies in office occurring on or after the first day to file affidavits of candidacy for the annual village election and before the first business day of January shall expire upon the qualification of a successor elected at the next ensuing annual village election and the office shall be filled at such election for the unexpired portion, if any, of the term.*

When a vacancy in the office of assessor is not filled by appointment as provided in this section before the first day of May following its occurrence, the county auditor shall appoint some resident of the county as assessor for such village.

Approved May 22, 1963.

CHAPTER 812—H. F. No. 967

An act relating to county assessing officers; amending Minnesota Statutes 1961, Section 273.071, Subdivision 13.

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

Section 1. Minnesota Statutes 1961, Section 273.071, Subdivision 13, is amended to read:

Subd. 13. **Division of duties between local and county assessor.** When a county assessor is appointed in any county the duties of the duly elected or appointed local assessors shall be to view and appraise the value of all property, as provided by law, but all book work shall be done by the county assessor or his assistants and the value of all property subject to assessment and taxation shall be determined by the county assessor, except as otherwise hereinafter provided. *He shall also have the authority to require local assessors to deliver to him their tax records at any time.*

Approved May 22, 1963.

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