

adjoining property owners whenever the planning commission shall have made a survey of the whole area of the city or of an area of not less than 40 acres, within which the new ordinance or amendments of the existing ordinance would take effect when adopted, shall not apply to the city of St. Paul.

Sec. 2. The provisions of this act shall not affect or apply to any pending rezoning proceedings, zoning alterations or changes heretofore enacted by the city council of the city of St. Paul or ordinance amendment commenced prior to its passage or any litigation or similar proceedings that may result therefrom or that may be finally concluded or determined by the supreme court of the state of Minnesota or the supreme court of the United States of America.

Sec. 3. This act shall become effective only after its approval by a majority of the council of the city of St. Paul, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 21, 1971.

CHAPTER 470—S.F.No.2621

An act relating to counties; providing procedures for filling a vacancy in the office of county commissioner; amending Minnesota Statutes 1969, Section 375.10.

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

Section 1. Minnesota Statutes 1969, Section 375.10, is amended to read:

375.10 COUNTIES; COMMISSIONERS; VACANCIES. Any vacancy in the office of county commissioner occurring more than 30 days before election shall be filled by a board of appointment, consisting of the chairman of the town board of each town, and the mayor or president of each city and village, in the commissioner district in which such vacancy occurs, which shall meet at the auditor's office for that purpose, upon three days' written notice given by such auditor and served personally. If such commissioner district is wholly within the limits of a city or village, such vacancy shall be filled by the council of such municipality. If the board of appointment, as so constituted, consists of an even number of members and shall fail to fill such vacancy within ~~ten~~ 15 days after

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the date of the first meeting thereof, upon notice given to him by the county auditor, ~~the county attorney shall also become and be a member~~ the vacancy shall be filled at a special election held for that purpose under the provisions of law relating to special elections in counties. If such vacancy in the office of the county commissioner shall occur in a county in which the township system has been completely abolished, such vacancy shall be filled by the board of county commissioners, and the county auditor. Absence from the county for six consecutive months shall be deemed to create a vacancy.

Approved May 21, 1971.

CHAPTER 471—S.F.No.2698

An act relating to referees in probate courts; compensation thereof; removing the compensation provisions for certain referees; amending Minnesota Statutes 1969, Section 525.101.

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

Section 1. Minnesota Statutes 1969, Section 525.101, is amended to read:

525.101 PROBATE COURT; COMPENSATION OF REFEREE. Such referee shall receive from the county as compensation \$3,600 per annum in counties having more than 500,000 inhabitants, ~~and in counties having more than 350,000 and less than 500,000 inhabitants and for which no provision is made for cost of living increases, compensation of not to exceed \$10,000 per annum shall be fixed by its board of county commissioners,~~ payable from the general funds of the county not otherwise appropriated, at the same time and in the same manner and subject to the provisions of law applicable to the compensation of the judge. The county shall furnish him with a suitable office in the court house or in some other suitable place or places designated by the judge. The judge may assign to the referee from the court's clerks and employees such clerical help as may be necessary to enable him properly to discharge his duties.

Approved May 21, 1971.

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