

(3) The defendant outside of this state conspires with another outside of this state and an overt act in furtherance of the conspiracy is committed within this state by either of them : ; or

(4) The defendant in this state conspires with another in this state.

Approved June 2, 1975.

CHAPTER 280—S.F.No.903

[Coded in Part]

An act relating to counties; providing for the filling of vacancies in the office of county commissioner; amending Minnesota Statutes 1974, Chapter 375, by adding a section; Section 375.03; repealing Minnesota Statutes 1974, Section 375.10.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 375.03, is amended to read:

375.03 COUNTY COMMISSIONERS; VACANCIES IN OFFICE; TERM OF COMMISSIONERS. In each new county, and in each county which shall be entitled to an increase of the number of commissioners, there shall be elected at the next general election a commissioner from each odd-numbered district for a term of two years, and one from each even-numbered district for a term of four years; and thereafter all commissioners shall be elected for a term of four years, except that elections ~~or appointments~~ to fill vacancies shall be for the unexpired term only. In counties having a population of more than 150,000, every such commissioner, before he enters upon his duties, shall give bond to the state in the sum of \$10,000, with a legally authorized surety company as surety, conditioned for the faithful performance of his official duties. Such bond shall be approved by a judge of the district court, and together with his oath of office and certificate of election, be filed with the register of deeds. The premium on the bond shall not exceed that prescribed by law for county treasurers, and shall be paid by the county.

Sec. 2. Minnesota Statutes 1974, Chapter 375, is amended by adding a section to read:

[375.101] VACANCY IN OFFICE OF COUNTY COMMISSIONER. Subdivision 1. A vacancy in the office of county commissioner shall be filled at a special election to be held not less than 30 nor more than 60 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election, provided that the special election shall be held not less than 14 days

Changes or additions indicated by underline deletions by ~~strikeout~~

after the special primary election. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

Subd. 2. If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at that election for the ensuing term who shall take office immediately after receiving the certificate of election and upon filing the bond and oath of office.

Subd. 3. In addition to the events specified in section 351.02, absence from the county for six consecutive months shall be deemed to create a vacancy.

Sec. 3. REPEAL. Minnesota Statutes 1974, Section 375.10, is repealed.

Sec. 4. This act shall be effective on the day following final enactment and shall apply to appointments made on or after January 1, 1975.

As to vacancies for which an appointment was made on or after January 1, 1975, and before the effective date of this act, a special election shall be held pursuant to section 2, subdivision 1, not less than 30 days nor more than 60 days after the effective date of this act for the purpose of electing a successor to serve the remainder of the unexpired term of the office.

Approved June 2, 1975.

CHAPTER 281—S.F.No.912

An act relating to counties; authorizing blanket performance bonds covering all county officers and employees in lieu of individually required bonds; amending Minnesota Statutes 1974, Section 382.153.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 382.153, is amended to read:

382.153 COUNTIES; BONDING OF OFFICERS AND EMPLOYEES. Subdivision 1. In counties now or hereafter having a population of more than 250,000, when a corporate surety bond has been furnished by any county officer or employee pursuant to statute or resolu-

Changes or additions indicated by underline deletions by ~~strikeout~~