

*Section 388.09 to represent it in the appeal proceedings. The court either in term or vacation and upon 10 days notice to the chairman of the board shall hear such appeal. On the hearing of the appeal the court shall review the decision or resolution of the board in like manner as though reviewed by certiorari, except new or additional evidence may be taken. The court may order the officer appealing and the board to submit briefs or other memoranda and may dispose of the appeal on such writings. If the court shall find that the board acted in an arbitrary, capricious, oppressive or unreasonable manner it shall remand the matter to the county board for further action consistent with the court's finding.*

Sec. 3. **Inconsistent provisions superseded.** *All laws relating to the compensation and budget for the county attorney inconsistent herewith are superseded.*

Sec. 4. *This act shall be in effect on July 1, 1967.*

Sec. 5. *Minnesota Statutes 1965, Section 388.105, is repealed.*

Approved May 24, 1967.

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CHAPTER 719—S. F. No. 890

[Not Coded]

*An act relating to Hennepin county; providing for the filling of vacancies on the county board by election in certain cases.*

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

Section 1. **Hennepin county; vacancies on board.** Notwithstanding the provisions of Minnesota Statutes, Section 375.10, if a vacancy occurs in a seat on the board of county commissioners of Hennepin county more than six months before the general election in which a commissioner will next be selected to occupy such seat the county auditor shall, within seven days after the vacancy occurs, call a special election within the affected district to fill such vacancy. The auditor shall specify a date for the election which shall be between 56 and 77 days after the vacancy occurred. Candidates shall file with the county auditor prior to the 35th day before the election. The primary election shall be held 14 days before the election. If no more than two candidates file for the office, the primary election shall be cancelled and the date of the general election advanced 14 days.

**Changes or additions indicated by *italics*, deletions by ~~strikeout~~.**

Sec. 2. Each person who wishes to file as a candidate in the election for which provision is made in section 1 shall submit to the county auditor his affidavit for candidacy. Except as otherwise specifically provided in this act, the special election shall be held in accordance with the provisions of Minnesota Statutes 1965, Chapter 203. The candidate who receives a plurality of the votes cast in the special election shall be certified the winner.

Sec. 3. A vacancy in a seat on a board of county commissioners which occurs not more than six months before the general election in which a commissioner will next be selected to occupy the seat shall be filled at the general election.

Sec. 4. A person elected to the office of commissioner pursuant to the provisions of this act shall hold office for the unexpired term of his predecessor.

Sec. 5. This act shall become effective upon its approval by the board of commissioners of Hennepin county and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 24, 1967.

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#### CHAPTER 720—S. F. No. 1125

*An act relating to aeronautics; providing for the transfer of air navigation facilities from the state of Minnesota to the United States, a political subdivision of the state or to private owners of airports licensed for public use; amending Minnesota Statutes 1965, Section 360.023.*

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

Section 1. Minnesota Statutes 1965, Section 360.023, is amended to read:

**360.023 Aeronautics; transfer of air navigation facilities.** The commissioner of aeronautics of the state of Minnesota, with the approval of the governor, is hereby granted authority to transfer and assign to the United States government or, to any political subdivisions of the state of Minnesota *or to loan to private owners of airports licensed for public use* all or any part of ~~such~~ radio air navigation facilities *or other air navigation facilities* along with shelters, repair parts, and supplies used in connection therewith, as are now or hereafter owned by the state of Minnesota; ~~and as are also now or here-~~

**Changes or additions indicated by italics, deletions by strikeout.**