

## CHAPTER 173.

[H. F. No. 406.]

AN ACT TO PROVIDE FOR FILLING VACANCIES IN THE BOARD OF COUNTY COMMISSIONERS, AND TO REPEAL SECTION ONE HUNDRED AND FOUR (104) OF CHAPTER EIGHT (8) OF THE GENERAL STATUTES OF ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT (1878).

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

Vacancies in boards of county commissioners—how filled.

SEC. 1. That whenever any vacancy shall occur in any office of county commissioner from death, resignation, removal, or otherwise, more than thirty (30) days before any general election for county officers, the chairman of the board of supervisors in each town, and the presiding officer of any incorporated village or villages, city or cities, which may be included in any commissioner's district, when such vacancy shall happen, or a majority of such officers shall assemble at the court house at the county seat, and appoint or elect a person who is a resident of such district to fill such vacancy; and the person so elected or appointed shall continue in office until the next general election, and until his successor is elected and qualified.

Proviso.

*Provided*, that whenever any such vacancy shall occur in any commissioner's district which is comprised wholly within the limits of any incorporated city, then such vacancy shall be filled by the common council of such incorporated city; that the person elected or appointed under the provisions of this act shall receive a certificate thereof, and shall file his certificate of election in the office of the district court of his county, and shall take the oath of office and qualify in the manner now prescribed for county commissioners.

That the absence of any county commissioner from his county for six (6) successive months shall be deemed a vacancy of his office within the meaning of this act;

That whenever a vacancy occurs in the office of commissioner as aforesaid, it shall be the duty of the county auditor to immediately give notice thereof to such chairman and presiding officer.

SEC. 2. That section one hundred and four (104) of chapter eight (8) of the general statutes of one thousand eight hundred and seventy-eight (1878), be and the same is hereby repealed.

When act to take effect.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 7, 1887.