

Subd. 10. Any association, complying with or operating under the terms of this Act or under Chapter 241, Laws of Minnesota, 1933, may, by resolution of the members thereof taken at a regular meeting or a special meeting called for that purpose, transform itself into a fraternal beneficiary society, cooperative life, or a legal reserve life insurance company. Such association shall file an application therefor with the Commissioner of Insurance, which application shall contain a detailed statement of the facts of the proposed transformation and shall submit itself to an examination of its books and records by the Commissioner or a deputy or employee and shall pay the cost thereof. If the Commissioner is satisfied that the association has the necessary reserves required by law of the class or kind of company or society to which the association wishes to convert, that its plan of operation is in the best interest of its members and the public, that the management is competent to conduct the business on the plan proposed and that all of the laws relating to the kind of business or society have been complied with, he shall issue his order approving such conversion and the association shall thereafter operate only on such plan.

Subd. 11. Every association operating under and by virtue of the terms of this Act, shall include, immediately under the title of the association, the words "Assessment Benefit Association" on all advertising matter, on certificates of membership and applications for membership.

Approved March 28, 1945.

CHAPTER 179—H. F. No. 7

An act to provide for primary elections in certain villages; and to provide for the method and procedure of holding primary elections, and for the compensation to be paid the election judges and clerks thereof.

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

Section 1. **Primary election.** Any village with a population of not less than 1,400 may hold an election of nominees, hereinafter designated as the "primary election" for the purpose of nominating candidates for village offices by adopting one of the following methods:

1. By resolution of a four-fifths vote of the governing body of the village; or

2. By a petition signed by at least 10 per cent of the voters of said village, addressed to the governing body of said village, requesting that said governing body submit to the voters thereof the determination of the question as to whether said village shall have a primary election system for the purpose of nominating candidates for village offices of such village at a special election to be held for that purpose. Within 15 days after receiving such a petition, the governing body shall provide for such special election and shall give not less than 10 or more than 15 days posted notice thereof. The form of question to be voted on shall be as follows: "Shall the Village of _____ adopt the primary election system for the nomination of candidates for Village offices." If a majority of the voters at such special election shall vote in the affirmative, such primary election system shall be deemed to be in force and effect.

Sec. 2. **Date.** The primary election shall be held not less than 10 days nor more than 14 days preceding the village election to be determined by the governing body. The clerk or recorder of such village shall give at least 10 days posted notice or notice published in the official newspaper of the time and place of holding the same, of the hours during which the polls will be open, and of the offices for which candidates are to be nominated. All voting at the primary election shall be by ballot. The clerk or recorder of the village shall, at least one week before the primary election, cause to be published a sample of the village primary ballot in the official newspaper of such village, or if there is no newspaper therein in the official newspaper of the county in which said village is situated, and shall also post a sample printed copy in his office for public inspection. The judges and clerks of election shall certify the results of said primary election to the governing body of the municipality, which shall forthwith canvass the vote and shall issue certificates of nomination to the two candidates for each office receiving the highest number of votes. Thereafter, the names of the two candidates receiving the highest number of votes shall be placed upon the ballot for the general election.

Sec. 3. **Affidavit of candidacy; filing.** At least 20 days before the primary election any party eligible and desirous of having his name placed on the primary ballot as a candidate for any village office, shall file his affidavit with the clerk or recorder, stating his residence, that he is a qualified voter

of such village, and the office for which he desires to be candidate. Upon payment by such candidate of \$2.00 to the clerk or recorder of such village, the clerk or recorder shall place the name of such candidate upon the primary election ballot of such village.

Sec. 4. Compensation of election officials. The judges and clerks of said election shall receive the same compensation as is provided for the judges and clerks at the regular village election.

Sec. 5. Election laws of state to apply. All of the election laws of this State shall apply to elections held pursuant to this Act so far as the same are applicable.

Approved March 29, 1945.

CHAPTER 180—H. F. No. 195

An act relating to vacancy in the office of clerks of court and amending Section 485.12, Minnesota Statutes 1941.

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

Section 1. Section 485.12, Minnesota Statutes 1941, is hereby amended to read as follows:

485.12. Vacancy. "Vacancies in the office of the clerk shall be filled by appointment by the senior judge, of the county where there is more than one judge therein; in judicial districts containing more than one county and having more than one judge therein, such appointment be made by the resident judge in said county, or, if there be no resident judge, by the next nearest judge of said district; and by the judge of the district court in judicial districts having only one judge.

The appointee shall give the bond and take the oath required by law, and shall hold his office for the balance of such entire term for which he shall be appointed, and until his successor qualifies. In case any such clerk is adjudged insane, the judge shall appoint a competent person to act as clerk in his place until he shall be duly declared restored to sanity. The person so appointed shall take the oath and give the bond required by law of clerks of the district court, and shall be entitled to the fees and emoluments of the office during the time he shall so act, and his acts shall have the same force and effect as if performed by such clerk."

Approved March 29, 1945.