

Presented to the governor May 9, 1991

Signed by the governor May 13, 1991, 11:55 a.m.

CHAPTER 80—H.F.No. 479

An act relating to public officers or employees; clarifying the filling of temporary vacancies in public offices due to military service; amending Minnesota Statutes 1990, section 192.263.

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

Section 1. Minnesota Statutes 1990, section 192.263, is amended to read:

192.263 VACANCIES TO BE FILLED TEMPORARILY.

In any case where a public officer or employee is absent with leave under the provisions of sections 192.26 to 192.264 and where it is necessary in the public interest to provide for the performance of the duties of the position during ~~such~~ the absence, the authority having power to fill a vacancy in the position may appoint a substitute, to be known as acting incumbent, who shall qualify as required for the regular incumbent, shall receive the same compensation as fixed by law, ~~otherwise such compensation or~~ as may be fixed by proper authority, and shall have all the powers and perform all the duties of the position until the return of the regular incumbent; ~~provided, that this shall or, if the position is for a fixed term, the period of the unexpired term, whichever occurs earlier. This section does not preclude the making of any other provision for the discharge of the duties of the position which may be otherwise authorized by law.~~

Presented to the governor May 9, 1991

Signed by the governor May 13, 1991, 11:55 a.m.

CHAPTER 81—H.F.No. 623

An act relating to Martin county; permitting the consolidation of the offices of auditor and treasurer.

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

Section 1. **CONSOLIDATION OF OFFICES.**

Upon adoption of a resolution by the Martin county board of commissioners, the offices of auditor and treasurer shall be consolidated. The title of the consolidated office will be "auditor-treasurer." All the duties, functions, and responsibilities required by law to be performed by the county auditor and county treasurer shall be vested in and performed by the auditor-treasurer.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 2. SCHEDULE.

Persons elected at the November 1990 general election to the positions of auditor and treasurer shall serve in those capacities and perform the duties, functions, and responsibilities required by statute, until the completion of the term of office to which each was elected, or until a vacancy occurs in the office, whichever occurs earlier.

Sec. 3. REFERENDUM.

The county board, after adopting a resolution permitted by section 1, shall publish the resolution once each week for two consecutive weeks in the official publication of the county. The resolution may be implemented without the submission of the question to the voters of the county, unless within 21 days after the second publication of the resolution a petition requesting a referendum, signed by at least 15 percent of the voters of the county voting in the last general election, is filed with the county auditor. If a petition is filed, the resolution may not be implemented until approved by a majority of the voters voting on the question at a regular or special election.

Sec. 4. EFFECTIVE DATE.

This act takes effect the day after the filing of a certificate of local approval by the Martin county board in compliance with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor May 9, 1991

Signed by the governor May 13, 1991, 2:04 p.m.

CHAPTER 82—S.F.No. 1074

An act relating to the city of Mankato; authorizing the city to annex uncontiguous territory to the city.

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

Section 1. AIRPORT ANNEXATION.

Notwithstanding Minnesota Statutes, section 414.033, subdivision 1, the city of Mankato may annex by ordinance uncontiguous property owned by the city which constitutes the Mankato municipal airport. The annexation must otherwise comply with Minnesota Statutes, section 414.033. Property abutting the airport shall not be deemed contiguous to the city of Mankato for the purposes of further annexation proceedings under Minnesota Statutes, chapter 414, without the consent of the city, town, and all the affected property owners.

New language is indicated by underline, deletions by ~~strikeout~~.