

same extent as it was applied in this state on and prior to December 13, 1962. This section applies to matters arising prior to such date as well as to matters arising on and after such date.

As used in this section the doctrine of "governmental immunity from tort liability" means the doctrine as a part of the common law of England as adopted by the courts of this state as a rule of law exempting from tort liability the instrumentalities of government named in section 1, subject, however, to such modifications thereof made by statutory enactments heretofore enacted.

Sec. 15. **[466.15] Civil damages act, application.** This act does not modify Minnesota Statutes, Section 340.95.

Sec. 16. **[466.16] Repealer.** Subdivision 1. Subject to the provisions of section 10, Minnesota Statutes 1961, Sections 12.41; 115.07, Subdivision 5; 360.033, Subdivision 2; 399.04, Subdivision 18; 412.221, Subdivision 4; 418.11; 465.62; 465.09 to 465.121; 471.42 and 471.43 are hereby repealed.

Subd. 2. Minnesota Statutes 1961, Section 112.70 is hereby repealed.

Sec. 17. **[466.17] Effective date.** Section 14 is in effect upon the adjournment of the 1963 regular session of the Minnesota legislature, but its provisions shall expire on December 31, 1963; Section 16, Subdivision 2, is in effect on January 1, 1968; the other provisions of the act are in effect on January 1, 1964.

Approved May 22, 1963.

CHAPTER 799—S. F. No. 1095

An act relating to local assessors, providing for their appointment; amending Minnesota Statutes 1961, Sections 273.05; 273.08; 367.03, Subdivision 1; 367.035 and 412.02, Subdivision 1.

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

Section 1. Minnesota Statutes 1961, Section 273.05, is amended to read:

Subdivision 1. Appointment of town and village assessors. Notwithstanding any other provision of law all town assessors shall be appointed by the town board and all village assessors shall be appointed by the village council. Such assessors shall be residents of the state but need not be a resident of the town or village for which they

Changes or additions indicated by italics, deletions by strikeout.

are appointed. They shall be selected and appointed because of their knowledge and training in the field of property taxation and shall serve at the pleasure of the town board or village council.

Subd. 2. Bond and oath of assessors. Every person elected or appointed to the office of assessor, at or before the time of receiving the assessment books, shall file with the county auditor his bond to the state, to be approved by the auditor, in the penal sum of \$500, conditioned for the diligent, faithful, and impartial performance of the duties enjoined on him by law. Failure to give bond or to take the oath within the time prescribed shall be deemed a refusal to serve.

Sec. 2. Minnesota Statutes 1961, Section 273.08, is amended to read:

273.08 Assessor's duties. The assessor shall perform his duties ~~during April, May and June~~ of each year, ~~except in cases otherwise provided~~ and in the manner following. He shall actually view, when practicable, and determine the true and full value of each tract or lot of real property listed for taxation, and shall enter the value thereof, including the value of all improvements and structures thereon, opposite each description. He shall make an alphabetical list of the names of all persons in his town or district liable to an assessment of personal property, and shall call at the office or place of business or residence of each person required by this chapter to list property, and shall list his name, and shall require each person to make and deliver a correct list and statement of such property, according to the prescribed form, which shall be subscribed and sworn to by the person listing; and the assessor shall thereupon determine the value of the property in such statement, and enter the same in his assessment books, opposite the name of the person assessed, with the name and post-office address of the person listing the property; and, if such person reside in a city, the street and number, or other brief description, of his residence or place of business. If any property is listed or assessed on or after the fourth Monday of June, and before the return of the assessor's books, the same shall be as legal and binding as if listed and assessed before that time.

Sec. 3. Minnesota Statutes 1961, Section 367.03, Subdivision 1, is amended to read:

367.03 Officers elected at annual meeting; vacancies. Subdivision 1. **Officers, terms.** There shall be elected in each town three supervisors as provided in this section. Where a new town has been or may be organized and supervisors have been or may be elected for such town at a town meeting prior to the annual town meeting, such supervisors shall serve only until the next annual town meeting at which meeting three supervisors shall be elected, one for

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

three years, one for two years, and one for one year, so that the term of one shall expire each year. The number of years for which each is elected shall be indicated on the ballot. At all other annual town meetings one supervisor shall be elected for three years to fill the place of the one whose term expires at that time. There shall also be elected at each annual town meeting one town clerk, one treasurer, ~~one assessor~~, two justices of the peace, and two constables, except as otherwise provided in this section. Each of these officers shall hold office for a term of two years and until their successors are elected and qualified. ~~The town assessor shall be elected in odd numbered years except in towns operating under special laws. All terms shall commence on the first secular day of April following the election except when a vacancy has been filled.~~

Sec. 4. Minnesota Statutes 1961, Section 367.035, is amended to read:

367.035 Assessors or treasurers; vacancies in certain towns. In any town any part of which lies within 25 miles of the city hall of a city of the first class, the governing body may fill by appointment any vacancy which may occur in the office ~~of town assessor or any vacancy in the office~~ of town treasurer; furthermore, upon filling any such vacancy by any such appointment, the governing body may provide such compensation for any such officer as such governing body may deem proper, any other law notwithstanding.

Sec. 5. Minnesota Statutes 1961, Section 412.02, Subdivision 1, is amended to read:

412.02 Village elections, officers, terms, vacancies. Subdivision 1. The following officers shall be elected for the terms and in the years shown and in the villages described in the table.

Officer	Number of Years in Term	Year Elected	Village in Which Elected
Mayor	Two	Odd-numbered	Every village
Clerk	Two	Even-numbered	Every standard plan village in where there is no clerk-treasurer
Treasurer	Two	Odd-numbered	Every standard plan village in which there is no clerk-treasurer

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

Clerk-Treasurer	Two	Even-numbered	Every standard plan village where such office exists pursuant to subdivision 3
Three Trustees	Three	One each year	Every standard plan village
Four Trustees	Three	One each year except two every third year	Every optional plan village
Assessor	Two	Even-numbered	Every standard plan village constituting a separate assessment district
Two Constables	Two	One each year	Every village in which the office has not been abolished pursuant to subdivision 4
Municipal Judges (Number Provided By Law)	Six	Year preceding expiration of term	Every village in which a municipal court has been established
Two Justices of the Peace	Two	Year preceding expiration of term	Every village without a municipal court

Sec. 6. The provisions of this act shall become effective upon any vacancy occurring in the office of village or town assessor after the effective date of this act whether such vacancy occurs because of the termination of the assessor's elected term or otherwise.

Approved May 22, 1963.

CHAPTER 800—S. F. No. 1401

An act relating to motor vehicle driver licenses; appropriating moneys in connection therewith; amending Minnesota Statutes 1961, Section 171.07.

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