

House Research Act Summary

CHAPTER: 146

SESSION: 2014 Regular Session

TOPIC: Jackson, Lake, Clay, Kandiyohi, and Lyon counties; offices may be made appointed positions

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Under general law in Minnesota Statutes, chapter 375A, a county may make the offices of auditor, treasurer, auditor-treasurer, and recorder appointed positions if approved by a referendum.

This law allows Jackson County to make the office of auditor-treasurer an appointed position, and Lake, Clay, Kandiyohi, and Lyon counties to make the offices of auditor-treasurer and recorder appointed positions, if approved by an 80 percent vote of the county board, subject to reverse referendum. The county board resolution cannot be adopted until after notice and an opportunity for the public to comment at a regular board meeting. The resolution does not take effect until 60 days after it is adopted (or a later date set in the resolution), to provide time for filing a petition for a referendum. In each case, the law also provides a process to revert back to elected positions.

The law is effective for each county once the county completes local approval – adopts a resolution approving the law and files with the Secretary of State a certificate stating the essential facts necessary to valid approval, including a copy of the resolution of approval.

With enactment of this law, 30 counties have gotten special legislation over the years to make one or more offices appointed positions, subject to reverse referendum, and since 2001 the conditions in the special law have been substantially the same as in this law.