

HOUSE RESEARCH

Bill Summary

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Overview

This bill amends the law providing for optional forms of county government, Minnesota Statutes, chapter 375A. Currently, a county may provide for appointment, instead of election, of the county auditor, treasurer, recorder, or auditor-treasurer, but only after passing a referendum. The bill allows the change to take place without a referendum if it is approved by an 80 percent vote of the county board after notice and a hearing, subject to a reverse referendum. Over the years, a number of counties have gotten special legislation authorizing them to make these positions appointed under these same terms.

The bill also modifies how vacancies on a county board are filled.

Section

- 1 Option for filling vacancies; election in 30 to 90 days.** Makes filling a vacancy on the county board by special election an option and provides that if the county chooses to fill the vacancy by election, it must be not more than 90 days after the vacancy occurs (increased from 60 days).

Under current law, a vacancy must be filled at a special election held not less than 30 nor more than 60 days after the vacancy occurs .

- 2 Option for filling vacancies; appointment.** Provides the option for the county board to appoint someone to fill a vacancy on the board until an election is held. Requires a special election (held in conjunction with county general election) if the vacancy occurs before the first day to file affidavits of candidacy and there are more than two years left in the term.

Otherwise the person appointed serves until the next general election.

3 Technical, cross-reference.

4 Technical, cross-reference.

5 **Publishing resolution; hearing; petition; referendum.** Allows a county to change to appointing instead of electing the county auditor, treasurer, auditor-treasurer, or recorder, by resolution of the county board, without a voter referendum on the change, if 80 percent of the board votes for the change, subject to a reverse referendum after notice and a hearing. The referendum could be held at a regular or special election. Prohibits a county from beginning this process if an election on the proposal would be held at the same election as an election to fill the affected county offices.

6 Technical, cross-reference.