

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 2474
Version: As introduced

DATE: March 3, 2014

Authors: Hansen

Subject: Dakota County; adoption of county manager plan

Analyst: Deborah A. Dyson

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd/.

Subdivision 1 allows the Dakota County Board to adopt the county manager plan for the county by resolution and without a referendum, as long as the county otherwise meets the conditions in general law for adoption of the county manager plan. Provides that the general law for the county manager plan applies except for the provision that prohibits the county board from dealing directly with subordinates.ⁱ Also applies the general law relating to abolition of various county boards.ⁱⁱ

Subdivision 2 preempts a provision relating to appointments to the extension board.ⁱⁱⁱ

Subdivision 2 also states that the coded laws providing for appointment of county officers, and county employment laws are not preempted by the bill.

Requires local approval by the county board to be effective.

ⁱ Minn. Stat. § 375A.03, subd. 4 (b), “Except for the purpose of inquiry, the county board and its members shall deal with and control the administrative service of the county solely through the county manager and neither the county board nor any of its members shall give orders to any subordinate of the county manager, either publicly or privately.”

ⁱⁱ Minn. Stat. § 375A.04, subd. 1, “In any county which has adopted either the elected executive or county manager plan there shall be no board of health as defined in section 145A.02, subdivision 2, library board, park board, hospital board, nursing committee, extension committee, welfare board, community mental health board, day care center board, sheltered workshop board, or nursing home board if there be any in the county, or any other administrative board, committee or commission, except for the administration of a function jointly with another political subdivision. The county board shall itself be and perform the duties and exercise the powers of each board, committee or commission enumerated in this subdivision and shall govern and administer the functions of such boards, committees and commissions as fully as other county functions for the administration of which no independent boards, committees or commissions are authorized by statute for counties generally. The county board at its discretion may create boards or commissions to advise the county board with respect to any county function or activity or to investigate any subject of interest to the county. Any such boards, committees or commissions in existence in any county when either the elected executive or county manager plan is adopted shall continue to operate in all respects as formerly until the election and qualification of the first elected county executive or the qualification of the first county manager, at which time they shall cease to exist and their powers shall be vested in the county board. Any existing

Section

civil service commission shall not be affected by the change. After abandonment of either the elected executive or county manager plans any board, committee or commission authorized by statute in counties generally may be established as provided by law.”

ⁱⁱⁱ Minn. Stat. § 383D.153 “The Dakota County Extension Committee shall include one member in addition to those provided by section 38.36. One each of the seven members, other than the commissioners and auditor, shall be appointed from the seven county commissioner districts. The members serving on July 20, 1993, who reside in the several districts shall serve until the end of their terms. If more than one member resides in the same district, the county board shall designate which shall continue to serve. A member who ceases to maintain a principal residence in the district from which appointed shall cease to serve as a member. The additional member appointed under this section shall serve until the first Tuesday after the first Monday in January 1996.”