

HOUSE RESEARCH

Bill Summary

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Subject: Becker County, county auditor-treasurer and recorder office may be combined and made appointive

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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 bill allows Becker County to combine the offices of auditor-treasurer and recorder and make them 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.

Subdivision 6 of the bill addresses the potential overlap of time needed for a resolution to take effect and the time when candidates must file for elected office. If the 60-day period for filing a petition for a referendum expires *before* the ballots are sent for printing and no referendum is required, then the name of candidates who have filed an affidavit of candidacy for an office to be appointed will not be placed on the primary or general election ballot. If the 60-day period expires *after* the ballots are finalized and no referendum is required, then election results for an office to be appointed under this section are void.

As of now, 30 counties have gotten special legislation to make one or more offices appointed positions, and since 2001 the conditions in the special law have been substantially the same as in this bill.

For more information on this topic see, "County Offices: Combining or Making Appointed:
<http://www.house.leg.state.mn.us/hrd/pubs/cntyoff.pdf>

See also Laws 2014, chapter 146, for the special laws most recently enacted authorizing five counties to make certain offices appointed position.