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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 Marshall County to make the office of recorder an appointed position if approved by an 80 percent vote of the county board, subject to reverse referendum. It provides for the current office holder to complete the term to which that person was elected before the office is made an appointed position. 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. If a petition is filed, the question must be on the ballot at a regular or special election. The law also provides a process to revert back to elected positions.

Effective after the county timely completes local approval (the county board adopts a resolution approving the law and files it and the certificate of local approval with the secretary of state before the beginning of the next biennium).

In 2011, chapter 99, Marshall County was authorized to make the county recorder and county auditor-treasurer appointed positions under the same conditions. After holding a public hearing on the matter, the county board voted not to implement the option and did not complete local approval, so the special law did not take effect.