

A bill for an act
relating to Nicollet County; providing a process for making certain offices
appointive in Nicollet County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **NICOLLET COUNTY AUDITOR-TREASURER MAY BE
APPOINTED.**

Subdivision 1. **Authority to make office appointive.** Notwithstanding Minnesota
Statutes, section 382.01, upon adoption of a resolution by the Nicollet County Board of
Commissioners, the office of county auditor-treasurer is not elective but must be filled by
appointment by the county board as provided in the resolution.

Subd. 2. **Board controls; may change as long as duties done.** Upon adoption of a
resolution by the Nicollet County Board of Commissioners and subject to subdivisions 3
and 4, the duties of an elected official required by statute whose office is made appointive
as authorized by this section must be discharged by the Board of Commissioners of
Nicollet County acting through a department head appointed by the board for that purpose.
A reorganization, reallocation, or delegation or other administrative change or transfer
does not diminish, prohibit, or avoid the discharge of duties required by statute.

Subd. 3. **Incumbents to complete term.** The person appointed as county
auditor-treasurer must serve in that capacity and perform the duties, functions, and
responsibilities required by statute until the completion of the term of office to which the
person was appointed or until a vacancy occurs in the office, whichever occurs earlier.

Subd. 4. **Publishing resolution; petition; referendum.** The county board may
provide for the appointment of a county auditor-treasurer permitted in this section if
the resolution to make the office appointive is approved by at least 80 percent of the

H.F. No. 2816, 2nd Engrossment - 2007-2008th Legislative Session (2007-2008)

2.1 members of the county board. Before the adoption of the resolution, the county board
2.2 must publish a resolution notifying the public of its intent to consider the option once each
2.3 week for two consecutive weeks in the official publication of the county. Following the
2.4 publication, the county board shall provide an opportunity at its next regular meeting
2.5 for public comment relating to the option, prior to formally adopting the option. The
2.6 resolution may be implemented without the submission of the question to the voters
2.7 of the county unless, within 30 days after the second publication of the resolution, a
2.8 petition requesting a referendum, signed by at least ten percent of the registered voters
2.9 of the county, is filed with the county auditor. If a petition is filed, the resolution may be
2.10 implemented unless disapproved by a majority of the voters of the county voting on the
2.11 question at a regular or special election.

2.12 **EFFECTIVE DATE; LOCAL APPROVAL.** This section is effective the day after
2.13 the governing body of Nicollet County and its chief clerical officer timely complete their
2.14 compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.