

**CHAPTER 184—H.F.No. 2036**

*An act relating to Goodhue county; permitting the appointment of the auditor-treasurer and recorder.*

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

**Section 1. AUDITOR-TREASURER; RECORDER MAY BE APPOINTED.**

Notwithstanding Minnesota Statutes, section 382.01, upon adoption of a resolution by the Goodhue county board of commissioners, the county auditor-treasurer and county recorder are not elective but must be filled by appointment by the county board as provided in the resolution.

**Sec. 2. BOARD CONTROLS; MAY CHANGE AS LONG AS DUTIES DONE.**

Upon adoption of a resolution by the Goodhue county board of commissioners and subject to sections 3 and 4, the duties of the elected official required by statute whose office is made appointive as authorized by this act must be discharged by the board of commissioners of Goodhue 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.

**Sec. 3. INCUMBENTS TO COMPLETE TERM.**

The person elected at the November 1998 general election to the position of 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 elected or until a vacancy occurs in the office, whichever occurs earlier.

**Sec. 4. PUBLISHING RESOLUTION; PETITION, REFERENDUM.**

The county board may provide for the appointment of the county auditor-treasurer and the county recorder as permitted in this act if the resolution to make the office appointed is approved by 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider adopting the option once each week for two consecutive weeks in the official publication of the county. Following the publication, the county board shall provide an opportunity at its next regular meeting for public comment relating to the option, prior to formally adopting the option. The resolution may be implemented without the submission of the question to the voters of the county unless, within 30 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor-treasurer. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

New language is indicated by underline, deletions by ~~strikeout~~.

**Sec. 5. EFFECTIVE DATE; LOCAL APPROVAL.**

Sections 1 to 4 are effective the day after the governing body of Goodhue county and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

Presented to the governor May 23, 2001

Signed by the governor May 24, 2001, 2:06 p.m.

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**CHAPTER 185—H.F.No. 1487**

*An act relating to natural resources; modifying provisions rendered obsolete by the electronic licensing system; modifying the disposition of certain taxes and proceeds; clarifying certain licensing and training requirements; providing for removal of submerged vehicles; modifying watercraft license and title provisions; clarifying sale of live animals and animal portions; modifying rulemaking authority; modifying certain license revocation provisions; clarifying taxidermy and bow fishing provisions; modifying fish house requirements; repealing certain fleeing provisions; amending Minnesota Statutes 2000, sections 6.48; 84.788, subdivisions 3 and 4; 84.796; 84.798, subdivisions 3 and 5; 84.82, subdivision 2; 84.83, subdivisions 3 and 5; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.922, subdivisions 2 and 3; 86B.401, subdivisions 1, 3, and 4; 86B.705, subdivision 2; 86B.820, subdivision 13; 86B.825, subdivision 1; 86B.830, subdivision 1; 97A.065, subdivision 2; 97A.105, subdivisions 4 and 9; 97A.421, subdivision 1; 97A.425, subdivision 1; 97A.441, subdivision 1; 97A.512; 97B.055, subdivision 2; 97C.355, subdivision 1, by adding a subdivision; and 297A.94; proposing coding for new law in Minnesota Statutes, chapter 86B; repealing Minnesota Statutes 2000, sections 84.792; and 84.801.*

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

Section 1. Minnesota Statutes 2000, section 6.48, is amended to read:

**6.48 EXAMINATION OF COUNTIES; COST, FEES.**

All the powers and duties conferred and imposed upon the state auditor shall be exercised and performed by the state auditor in respect to the offices, institutions, public property, and improvements of several counties of the state. At least once in each year, if funds and personnel permit, the state auditor shall visit, without previous notice, each county and make a thorough examination of all accounts and records relating to the receipt and disbursement of the public funds and the custody of the public funds, including the ~~game and fish funds~~, and other property. The state auditor shall prescribe and install systems of accounts and financial reports that shall be uniform, so far as practicable, for the same class of offices. A copy of the report of such examination shall be filed and be subject to public inspection in the office of the state auditor and another copy in the office of the auditor of the county thus examined. The state auditor may accept the records and audit, or any part thereof, of the department of human services in lieu of examination of the county social welfare funds, if such audit has been made within any period covered by the state auditor's audit of the other records of the county. If any such examination shall disclose malfeasance, misfeasance,

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