

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **1150**

02/14/2019 Authored by Xiong, T.; Jurgens; Claflin; Dettmer and Fischer
The bill was read for the first time and referred to the Committee on Government Operations
03/11/2019 Adoption of Report: Placed on the General Register
Read for the Second Time
05/20/2019 Pursuant to Rule 4.20, returned to the Committee on Government Operations

- 1.1 A bill for an act
- 1.2 relating to counties; allowing a county board to temporarily fill a county
- 1.3 commissioner vacancy by appointment in certain circumstances; amending
- 1.4 Minnesota Statutes 2018, section 375.101, subdivision 1.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2018, section 375.101, subdivision 1, is amended to read:
- 1.7 Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided
- 1.8 in subdivision 3, a vacancy in the office of county commissioner may be filled as provided
- 1.9 in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to
- 1.10 be filled under this subdivision and subdivision 2, it must be filled at a special election. The
- 1.11 county board may by resolution call for a special election to be held on a date authorized
- 1.12 by section 205.10, subdivision 3a.
- 1.13 (b) The person elected at the special election shall take office immediately after receipt
- 1.14 of the certificate of election and upon filing the bond and taking the oath of office and shall
- 1.15 serve the remainder of the unexpired term. If the county has been reapportioned since the
- 1.16 commencement of the term of the vacant office, the election shall be based on the district
- 1.17 as reapportioned.
- 1.18 (c) If a special election is required to be held to fill a vacancy in the office of county
- 1.19 commissioner, the county board may temporarily fill the vacancy by appointment before
- 1.20 the vacancy is filled by special election. Before making an appointment to temporarily fill
- 1.21 a vacancy under this subdivision, the board must allow public testimony from persons
- 1.22 residing in the district in which the vacancy occurs relating to the qualifications of the
- 1.23 prospective appointee. After the board selects the person to temporarily fill the vacancy,

- 2.1 the board shall adopt and enter into the minutes of its proceedings a resolution evidencing
- 2.2 the appointment. The term of the appointment expires when a successor is chosen by special
- 2.3 election and takes the oath of office.