

office is made appointive as authorized by this act must be discharged by the board of commissioners of Olmsted 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 TERMS.

The person elected at the November 1994 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 elected, or until a vacancy occurs in the office, whichever occurs earlier.

Sec. 4. PUBLISHING RESOLUTIONS, PETITION, REFERENDUM.

The county board, before acting as permitted by section 2 and before making an appointment as permitted by section 1 or 2, but after adopting a resolution permitted by section 1 or 2, must publish the resolution once each week for two consecutive weeks in the official publication of the county. The resolution may be implemented without the submission of the question to the voters of the county, unless within 21 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.

Sec. 5. EFFECTIVE DATE.

Sections 1 to 4 take effect the day after the filing of a certificate of local approval by the Olmsted county board in compliance with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor March 19, 1998

Signed by the governor March 23, 1998, 10:42 a.m.

CHAPTER 308—S.F.No. 2281

An act relating to Dakota county; authorizing appointment of treasurer/ auditor; clarifying the employment status of certain employees; amending Minnesota Statutes 1996, sections 383D.09, by adding a subdivision; and 383D.41, by adding a subdivision.

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

Section 1. Minnesota Statutes 1996, section 383D.09, is amended by adding a subdivision to read:

Subd. 5. TREASURER/AUDITOR MAY BE APPOINTED. (a) The Dakota county board of commissioners may, by resolution, provide that the office of county treasurer/ auditor shall not be elective but shall be filled by appointment by the county board as provided in this subdivision.

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

(b) Upon adoption of a resolution by the Dakota county board of commissioners and subject to paragraphs (c) and (d), the duties of the elected treasurer/ auditor whose office is made appointive under this subdivision shall be discharged by the board of commissioners acting through a department head appointed for that purpose. The appointed department head shall serve at the pleasure of the board. The board may reorganize, consolidate, reallocate, or delegate the duties to promote efficiency in county government. A reorganization, consolidation, reallocation, or delegation or other administrative change or transfer shall not impair the discharge of duties required by statute to otherwise be performed by the treasurer/ auditor.

(c) The person elected to be county treasurer/ auditor at the last county general election preceding action under this subdivision shall serve in that capacity and perform the duties, functions, and responsibilities until the completion of the term of office to which elected, or until a vacancy occurs in the office, whichever occurs earlier.

(d) The county board, before acting as permitted by paragraph (b) and before any appointment permitted by paragraph (a) or (b), but after adopting a resolution permitted by paragraph (a) or (b), shall publish the resolution once each week for two consecutive weeks in the official publication of the county. The resolution may be implemented without the submission of the question to the voters of the county, unless within 21 days after the second publication of the resolution, a petition requesting a referendum, signed by at least ten percent of the registered voters in the county voting in the last general election, is filed with the county treasurer/ auditor. 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.

Sec. 2. Minnesota Statutes 1996, section 383D.41, is amended by adding a subdivision to read:

Subd. 6. STATUS OF AUTHORITY EMPLOYEES. Notwithstanding any law to the contrary, employees of the authority shall not be deemed county employees for any purpose, absent a resolution of consent adopted by the county board.

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective upon approval by the Dakota county board of commissioners and compliance with Minnesota Statutes, section 645.021.

Presented to the governor March 19, 1998

Signed by the governor March 23, 1998, 10:45 a.m.

CHAPTER 309—S.F.No. 2378

An act relating to business organizations; defining the terms "professional" and "professional services" as they relate to professional corporations and professional firms; regulating professional health services; amending Minnesota Statutes 1996, section 319A.02, subdivisions 2, 3, and by ad-

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