

## CHAPTER 367

### TOWN OFFICERS

367.31 Adoption of specific option.

367.33 Option A; election of additional supervisors.

**367.31 ADOPTION OF SPECIFIC OPTION.**

Subdivision 1. **Submission to electors.** Except as provided otherwise in subdivision 2, the town board may, and upon a petition signed by electors equal in number to at least 15 percent of the electors voting at the last previous town election shall, submit to the electors at an annual town election the question of adopting option A, B, C, or D.

Subd. 2. **Mandatory submission of option a in urban towns.** The town board of a town exercising the powers of a statutory city pursuant to section 368.01 or pursuant to a special law granting substantially similar powers shall submit the adoption of option A to the electors at the annual town election next following June 3, 1975. The town board of any town hereafter qualifying under section 368.01 or receiving substantially similar powers pursuant to a special law adopted after June 3, 1975, shall submit the adoption of option A to the electors at the annual town election next following the grant of powers pursuant to section 368.01 or special act.

Subd. 3. **Notice of question.** When the adoption of a specific option is to be voted on at the annual election, the town clerk shall include notice of the question in the notice of the annual election.

*[For text of subd 4, see M.S.1988]*

Subd. 5. **Adoption by affirmative vote.** If a majority of the votes cast on the question of adoption of option A, B, C, or D is in the affirmative, the option so voted upon shall be adopted in the town, and once placed in effect, shall remain in effect until abandoned by a similar majority at a subsequent annual town election at which the question of abandonment is submitted.

*[For text of subds 6 and 7, see M.S.1988]*

**History:** 1989 c 24 s 1-4

**367.33 OPTION A; ELECTION OF ADDITIONAL SUPERVISORS.**

Subdivision 1. **Election at annual election or special election.** Following the adoption of option A in a town, except a town exercising the powers of a statutory city, the town board may call a special town election to be held not less than 30 days nor more than 60 days after the annual town election at which the option is adopted, for the purpose of electing two additional members to the board of supervisors. In lieu of calling a special election, the town board may determine to elect the additional two members of the town board at the next annual town election. If the town is exercising the powers of a statutory city pursuant to section 368.01 or pursuant to a special law granting substantially similar powers, the town board shall call a special election to be held not less than 30 days nor more than 60 days after the annual election at which option A is adopted for the purpose of electing the two additional supervisors.

*[For text of subds 2 to 4, see M.S.1988]*

Subd. 5. **Abandonment of option A.** In a town in which option A is abandoned, the terms of incumbent supervisors shall not be affected, but if one or more supervisors are to be elected at the annual town election held on the same day as the annual town election at which the option is abandoned, the election of one supervisor, or two if there be more than one elected, shall be considered null. Otherwise the offices of the two

incumbent supervisors expiring at the annual town election or elections next following the annual election at which the option is abandoned shall not be filled. Thereafter the town board shall be composed of three supervisors unless option A is again adopted in that town.

**History:** 1989 c 24 s 5,6