

CHAPTER 375A

OPTIONAL FORMS OF COUNTY GOVERNMENT

375A.10 Options relating to certain county offices.

375A.10 OPTIONS RELATING TO CERTAIN COUNTY OFFICES.

[For text of subds 1 to 4, see M.S.1992]

Subd. 5. Auditor-treasurer. In any county exercising the option provided in subdivision 2, clause (c), the office shall be known thereafter as the office of auditor-treasurer, if the office is to remain elective. If the board chooses to make the office of auditor-treasurer elective, and not require a referendum, it must act with the concurrence of 80 percent of its members.

In the exercise of this option, the county board shall direct which of the offices of auditor or treasurer shall be terminated for the purpose of providing for the election to the single office of auditor-treasurer. The duties, functions and responsibilities which have been heretofore and which shall hereafter be required by statute to be performed by the county auditor and the county treasurer shall be vested in and performed by the auditor-treasurer without diminishing, prohibiting or avoiding those specific duties required by statute to be performed by the county auditor and the county treasurer.

Nothing in this subdivision shall preclude the county from exercising the option to make the combined office of auditor-treasurer appointive as if it had been specifically enumerated in subdivision 2. If the combined office is to be appointive, a referendum under section 375A.12 shall be necessary.

If the combined office is to be elective, a referendum under section 375A.12 shall be necessary if:

- (a) the county board requires a referendum; or
- (b) a referendum is required by a petition of a number of voters equal to ten percent of those voting in the county at the last general election that is received by the county auditor within 30 days after the second publication of the board resolution that orders the combination.

The persons last elected to the positions of auditor and treasurer before adoption of the resolution shall serve in those offices and perform the duties of those offices until the completion of the terms to which they were elected.

[For text of subd 6, see M.S.1992]

History: 1993 c 75 s 1

NOTE: In a county where a vacancy occurs in one of the positions before January 1, 1996, the county may take action under subdivision 5, as amended by Laws 1993, chapter 75, section 1. In other counties, the amendment to subdivision 5 takes effect January 1, 1996. See Laws 1993, chapter 75, section 2.