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DESCRIPTION

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Sal Costa Rickford  
Operator's Signature

10/3/03  
Date

2003 HOUSE POLITICAL SUBDIVISIONS

HB 1262

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10/3/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1262

House Political Subdivisions Committee

☐ Conference Committee

Hearing Date: January 23, 2003

Tape Number	Side A	Side B	Meter #
2	X		0.0-7.6
Committee Clerk Signature <i>Micki Schmidt</i>			3-4-03

Minutes:

**TAPE 2: SIDE A:**

**(0.0) CHAIRMAN GLEN FROSETH:** Let's take up HB 1262.

**(0.5) REP. BILL DEVLIN:** (Testimony in support) (See attachment #1 & #2- an amendment from Attorney General's office)

**(3.6) VICE-CHAIRMAN NANCY JOHNSON:** Was there any thought given to not just counties but also city government, school boards, township government?

**(3.7) REP. BILL DEVLIN:** We visited with some and they didn't see a problem with it. It seems to be more unique to county government. It's mostly a problem with county government.

**(4.3) REP. ALON WIELAND:** I do support this. We did have a case some years ago who refused to get off of the Social Service Board after they were no longer a County Commissioner. He came to the meetings and was disruptive. We need something in law to assist us as counties.

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*10/3/03*  
Date

Page 2

House Political Subdivisions Committee

Bill/Resolution Number HB 1262

Hearing Date: January 23, 2003

**(5.0) MARK JOHNSON: ASSOCIATION OF COUNTIES:** (Testimony in support) In our own association won't allow anyone to continue to serve if they have lost their election or have chosen to resign.

**(5.8) NOLAN VERWEST: TOWNSHIP OFFICER:** (Testimony in support) This bill gives a degree to flexibility to the County Commissioners to serve or not to serve on other boards after commission is over.

**(6.1) CHAIRMAN GLEN FROSETH:** Any questions? Testimony in support? Opposition? Hearing none, I will close the hearing on HB 1262. What are the committee's wishes?

**(6.4) REP. MARY EKSTROM:** I MOVE THE AMENDMENT.

**(6.5) VICE-CHAIRMAN NANCY JOHNSON:** I SECOND IT.

**(6.6) CHAIRMAN GLEN FROSETH:** Any discussion on the amendment? Hearing none, I will take a voice vote: 14-y; 0-n; 0-absent. Amendment carries.

**(6.7) VICE-CHAIRMAN NANCY JOHNSON:** I MOVE A DO PASS AS AMENDED.

**(6.8) REP. MARY EKSTROM:** I SECOND IT.

**(7.0) CHAIRMAN GLEN FROSETH:** Any further discussion by the committee? Hearing none I will have the clerk take the Roll Call Vote: 11-y; 0-n; 3-absent; Carrier: Rep. Herbel.

(7.6)

30486.0101  
Title.0200

Adopted by the Political Subdivisions  
Committee  
January 23, 2003

VR  
1/23/03

HOUSE

AMENDMENTS TO HOUSE BILL NO. 1262 PSD 1-24-03

Page 1, line 12, replace "Upon the expiration of the individual's term of office as" with "After the individual is no longer"

Rerunumber accordingly

Page No. 1

30486.0101

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Y. Costa Rickford  
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10/3/03  
Date

Date: 1-23-03

Roll Call Vote #: 01

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1262

House "POLITICAL SUBDIVISION" Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 30486.0101

Action Taken Do Pass As Amended

Motion Made By Rep. Johnson Seconded By Rep. Ekstrom

Representatives	Yes	No	Representatives	Yes	No
Chairman Glen Froseth	✓				
Vice-Chairman Nancy Johnson	✓				
Mike Grosz	✓				
Gil Herbel	✓				
Ron Iverson	✓				
William E. Kretschmar	✓				
Andrew Maragos	0				
Dale Severson	0				
Alon Wieland	✓				
Bruce Eckre	0				
Mary Ekstrom	✓				
Carol A. Niemeier	✓				
Sally M. Sandvig	✓				
Vonnie Pietsch	✓				

Total (Yes) 11 No 0

Absent 3

Floor Assignment Rep. Herbel

If the vote is on an amendment, briefly indicate intent:

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10/3/03  
Date

**REPORT OF STANDING COMMITTEE (410)**  
January 24, 2003 3:28 p.m.

Module No: HR-14-1083  
Carrier: Herbel  
Insert LC: 30486.0101 Title: .0200

**REPORT OF STANDING COMMITTEE**  
**HB 1262: Political Subdivisions Committee (Rep. Froese, Chairman) recommends**  
**AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS**  
**(11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1262 was placed on the**  
**Sixth order on the calendar.**

Page 1, line 12, replace "Upon the expiration of the individual's term of office as" with "After the individual is no longer"

Renumber accordingly

(2) DESK, (3) COMM

Page No. 1

HR-14-1083

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Operator's Signature

*10/3/03*  
Date

2003 SENATE POLITICAL SUBDIVISIONS

HB 1262

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Operator's Signature

*La Costa Rickford*

Date

*10/3/03*



2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1262

Senate Political Subdivisions Committee

☐ Conference Committee

Hearing Date February 28, 2003

Tape Number	Side A	Side B	Meter #
11		X	836 - 1245

Committee Clerk Signature *Stanley Borg*

Minutes:

**CHAIRMAN COOK** opened the hearing on HB 1262. All committee members (6) present.

HB 1262 relates to members of a board of county commissioners serving on other boards.

**REPRESENTATIVE DEVLIN**, District 22, Finley introduced HB 1262 and spoke in support of the bill. (See attached testimony)

**Terry Traynor**, Association of Counties, appeared in support of HB 1262. The association of counties polled their members and they think this is a good piece of legislation that will clarify things and improve the process.

No opposition to HB 1262.

**CHAIRMAN COOK** closed the hearing on HB 1262.

**SENATOR SYVERSON** moved a DO PASS on HB 1262

**SENATOR GARY LEE** seconded the motion.

Roll call vote; Yes 6 No 0 Absent 0 Carrier: **SENATOR SYVERSON**

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*La Costa Rickford*  
Operator's Signature

10/3/03  
Date

Date: 2-28-03  
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO 181262

Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Senator Syverson Seconded By Senator Gary Lee

Senators	Yes	No	Senators	Yes	No
Senator Dwight Cook, Chairman	X				
Senator John O. Syverson, V C	X				
Senator Gary A. Lee	X				
Senator Judy Lee	X				
Senator Linda Christenson	X				
Senator Michael Polovitz	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Syverson

If the vote is on an amendment, briefly indicate intent:

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10/3/03  
Date

REPORT OF STANDING COMMITTEE (410)  
February 28, 2003 12:43 p.m.

Module No: SR-36-3662  
Carrier: Syverson  
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE  
HB 1262, as engrossed: Political Subdivisions Committee (Sen. Cook, Chairman)  
recommends DO PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).  
Engrossed HB 1262 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-36-3662

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Operator's Signature

10/3/03  
Date

2003 TESTIMONY

HB 1262

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La Costa Rickford  
Operator's Signature

10/3/03  
Date

1-23-03 HB 1262-

#1  
Good Morning Chairman Froseth and members of the House Political Sub-Divisions Committee. It is a pleasure to appear before you today. For the record I am Rep. Bill Devlin, of Finley and represent, along with Rep. Severson, District 23 in the House of Representatives.

I am here today to ask your support of HB 1262. It is a little house-keeping bill involving county government. This bill cleans up some confusing situations involving members of a county commission who have been appointed to other county boards because they are a county commissioner.

What happens or should happen when their county commissioner term is up is the matter of question. If their appointment was made because they are a county commissioner, shouldn't their appointments on the other boards end at the same time? This is the belief of most of us who have been involved in county government as a commissioner.

I believe the commissioner's term on the other board should end with their commissioner term. Unless of course, the new county commission reappoints the former commissioner to the same board as a private citizen.

Usually there are two types of appointments involved in these type of situations, but only one creates a problem. In one case, using my home county as an example, a county commissioner is appointed to another county board like the county job authority. The requirement of membership for the position is that they be a county commissioner serving as the commissioners representative. In that case their term on the job authority board ends with their commission term. They might be reappointed to the board in another capacity as a private citizen, however they won't be the commissioner representative.

In the other case, and this is where the problem lies, is a board like a social service or perhaps water board where the county commission wants one or more of their members on the board. There is no requirement that that position be held by a county commissioner, but it is the intent of the county governing board that the person serving be a commissioner.

If that person has been appointed to the position for a term longer than the length of their commission term they are sometimes unwilling to leave the board. This creates a number of difficulties for the local board who are forced to go through a process of removing that individual. This can create a very unpleasant situation for everyone.

I believe HB 1262 will take care of that problem. It simply says that if you were appointed to be a county commission representative on another board, your term will end when you finish with your commission duties. The local board of commissioners will still have the authority to reappoint the former commissioner to the board as a private citizen.

I also have an amendment proposed by the Attorney General's office that I would like you to consider. When the bill was drafted we were only thinking about a commission term that was expiring. However, there are certainly instances when a commissioner may not fill out their whole term for a variety of reasons. This amendment will address that situation. It essentially says that if your position as a county commissioner ends, whether you are at the end of your term or not, your position on the other boards ends as well. Of course, they are always eligible for reappointment as a private citizen.

Chairman Froseth and members of the committee I respectfully ask for a do pass recommendation on this bill. I appreciate the opportunity to be here today and would welcome any questions.

*Ja Costa Rickford*  
Operator's Signature

10/3/03  
Date

IP

#2 1-23-03 HB 1262 submitted by Rep. Bill Devlin.

Proposed amendments to House Bill No. 1262

Page 1, line 12, replace "Upon the expiration of the individual's term of office as" with "After the individual is no longer"

Renumber accordingly

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Good Morning Chairman Cook and members of the Senate Political Subdivisions Committee. It is a pleasure to appear before you today. For the record I am Rep. Bill Devlin, of Finley and represent District 23 in the House of Representatives.

I am here today to ask your support of HB 1262. It is a little house-keeping bill involving county government. This bill cleans up some confusing situations involving members of a county commission who have been appointed to other county boards because they are a county commissioner.

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There was an amendment proposed by the Attorney General's office that was added in the House. When the bill was drafted we were only thinking about a commission term that was expiring. However, there are certainly instances when a commissioner may not fill out their whole term for a variety of reasons. This amendment will address that situation. It essentially says that if your position as a county commissioner ends, whether you are at the end of your term or not, your position on the other boards ends as well. Of course, they are always eligible for reappointment as a private citizen.

Chairman Cook and members of the committee I respectfully ask for a do pass recommendation on this bill. I appreciate the opportunity to be here today and would welcome any questions.