

HOUSE RESEARCH

Bill Summary

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Overview

This bill amends the law that governs creation of new counties to fill in gaps in the law identified when the petition to create Pioneer county out of the southern portion of Pine county was placed on the November 2000 ballot.

Section

- 1 Change of boundaries; creation of new counties.** Provides for the required minimum market value of a proposed new county to be at least 35 percent of the total taxable market value of the existing county or counties affected by the proposal. Also requires the proposed new county to have at least 4,000 population. Provides for the department of revenue to determine taxable market value. Provides that an existing county's market value not be reduced below the same threshold as required to create a new county. Under current law, a new county must have at least 2,000 population and a market value of at least \$17 million and the remaining county must have a market value of at least \$17 million (or \$10 million for a county of more than 3500 and less than 6000 square miles).
- 2 Petition.** Requires a petition to establish a new county be signed by a number of registered voters equal to at least one-fourth of those who voted in the last general election in both the area that would be the new county and in the area remaining. Under current law, the petition need only be signed by one-fourth of those voting in the last general election in the county (so all the signatures could be from only one part of the county).
Also requires the petition to state not only what the county seat would be for the new county (as under current law) but also what the county seat would be for the remainder of the existing county if not the current county seat. (In Pine county's case, the proposed new county would have taken the current county seat and there was no provision for establishing a county seat for the remainder of the existing county.)

- 3 **Proclamation; only one proposition.** Requires the secretary of state to certify that the signatures on the petition are registered voters of the affected county. Strikes the language providing that the affidavits of the persons who collected the signatures are prima facie evidence that those who signed are registered voters.
- 4 **Canvass; proclamation; secretary of state; auditor; notice to county commissioners.** Changes the vote requirement so that a majority vote is needed in both the area forming the new county and in the remaining portion of the existing county.
- 5 **Filling vacancy in commissioner district caused by change of boundaries.** Strikes the provision for the governor to appoint county commissioners to fill vacancies created by a county split and provides for a special election with the person elected to serve at large.
- 6 **Duties of auditor; meeting of board.** Conforming amendment to section 4.
- 7 **Redistricting of county; subsequent election.** Conforming amendment to section 4.
- 8 **Repealer.** Conforming provision to section 4; repeals a section relating to appointment of a county commissioner by the governor.