

GUIDE TO ADOPTING 6-YEAR TERMS OF OFFICE FOR SUPERVISORS

Beginning in the early 1990's, the Minnesota Legislature allowed towns to move their elections from March to November.¹ The new laws required that, when using November elections, town supervisors serve 4-year terms of office so town elections could be consistent with the existing every-other-year schedule for November elections.² One consequence of the change was that towns with three supervisors had to elect two supervisors within the same election year, every other election year. Some towns were concerned about electing a majority of the board's members within a single year.

In response to the concern, the Legislature now allows towns using November elections to extend the terms of supervisors from 4 years to 6 years.³ This prevents a majority of supervisors from being elected within the same election year, except when supervisors must be elected to fill a vacancy in the middle of an existing term of office.

The 6-year supervisor term is available only to towns that use November elections. The clerk's and treasurer's terms may not be extended to 6 years.

There is no legal concern with electing more than one supervisor, or a majority of the board of supervisors, in a single election. For some towns, though, it is a political concern.

PROCESS TO ADOPT 6-YEAR TERMS

1. The question of whether to adopt 6-year terms must be submitted to the voters by a ballot question. The question can be placed on the ballot either by:
 - a. a resolution by the Board to submit the question to the voters; or
 - b. a resolution by the voters at an annual meeting to place the question on the next ballot.
2. Use the attached sample resolution, modified as need to:
 - a. reflect whether the board or the voters started the process; and
 - b. describe the proposed transition plan to shorten or lengthen the existing supervisors' terms of office.
3. Submit the question to voters on the next ballot, with language similar to, "Shall the term of office for Town Supervisors be for six years?" The ballot measure must pass by a simple majority to become effective.

Be Aware! Some towns using 6-year terms have later regretted the length of the term, finding it to be too long of a commitment for the elected officials or unsatisfying for voters who want to change their town government in a shorter time period. Remember – 6 years is long time!

¹ Minn. Stat. § 205.075, subd. 2.

² Minn. Stat. § 367.03, subd. 4.

³ Minn. Stat. § 367.03, subd. 4a.

RESOLUTION # _____

Township
County, Minnesota

**RESOLUTION ADOPTING THE SIX-YEAR TERM OF OFFICE
OPTION FOR TOWN SUPERVISORS**

WHEREAS, Minn. Stat. § 367.03 authorizes the adoption of an optional six-year term of office for town supervisors; and

WHEREAS, the town board determines that adopting the optional six-year term for supervisors serves the public's interest by eliminating the situation where, except when extra positions need to be on the ballot to fill a vacancy, a majority of supervisors will be on the ballot at any single town election;

NOW, THEREFORE BE IT RESOLVED, that the town board of _____ Township, _____ County, Minnesota proposes to adopt six year terms for the position of town supervisor and shall submit the question to the voters on the ballot at the next general election; and

BE IT FURTHER RESOLVED, that the option shall take effect immediately upon approval of the electors at the next general town election scheduled for November 20____, but shall be subject to the transition plan outlined in this resolution; and

BE IT FURTHER RESOLVED, that should the voters approve the adoption of six-year terms for the position of town supervisor, the following transition plan shall be used to provide an orderly transition:

1. The supervisor position that is scheduled to be elected at the same election at which this ballot question is submitted in November 20____ shall be designated Supervisor position A and shall be elected to a six-year term such that the position shall next be on the ballot in November 20____.
2. The supervisors whose terms are scheduled to expire on the first Monday in January 20____ shall be designated Supervisor position B and Supervisor position C.
 - A. The Supervisor B position, currently held by Supervisor _____, shall be on the ballot in November 20____ for a six-year term such that the position will subsequently be on the ballot in November 20____.
 - B. The Supervisor C position currently held by Supervisor _____, shall be on the ballot for a two-year term such that the position will subsequently be on the ballot for a six-year term in November 20____.
3. The positions of clerk of treasurer shall not be affected by this transition plan and shall continue to have four-year terms elected under current election schedules.

BE IT FURTHER RESOLVED, that after this transition plan has been fully implemented, all supervisor positions shall have six-year terms of office;

BE IT FURTHER RESOLVED, that if the voters fail to approve the ballot question adopting six-year terms for town supervisors, the above transition plan shall not be used and all terms of office shall remain as they normally would under current town election cycles and applicable State laws governing November town elections; and

BE IT FINALLY RESOLVED, that the clerk is hereby authorized and directed to prepare the ballot question and take such other actions as may be needed to submit the question of approving the adoption of six-year terms of office for the position of town supervisor to the electors for a vote at the next general town election scheduled for November 20____.

Adopted this _____ day of _____, 20____.

By the _____ Town Board

Attested to by:

Town Board Chair

Town Clerk