

**LETTER OPINION**  
**97-L-89**

June 18, 1997

Honorable Ken Solberg  
State Senator  
207 Sunset Lane  
Rugby, ND 58368

Dear Senator Solberg:

Thank you for your letter requesting information on changing the number of county commissioners.

N.D.C.C. ch. 11-12 addresses the procedures for changing the number of county commissioners (copy enclosed). In order to initiate the process of changing the number of commissioners, at least 20% of the qualified electors of a county must petition the board of county commissioners for the change. N.D.C.C. § 11-12-01. If this is done, the county commissioners must submit the question presented in the petition to the qualified electors at a special election held in connection with the next statewide primary or general election. Id. Notice of the election on the question of changing the number of county commissioners must be given in the notice of election prescribed by N.D.C.C. § 16.1-13-05. N.D.C.C. § 11-12-02. The ballot must follow the form outlined in N.D.C.C. § 11-12-03.

N.D.C.C. §§ 11-12-04, 11-12-05 and 11-12-06 address what occurs if the election results in an increase of the number of county commissioners. N.D.C.C. § 11-12-07 outlines what occurs if the election results in a decrease in the number of commissioners.

If you have any specific questions regarding the procedures outlined in N.D.C.C. ch. 11-12, please contact me and I will be happy to provide any assistance that I can.

Sincerely,

Heidi Heitkamp  
ATTORNEY GENERAL

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Senator Solberg  
June 11, 1997  
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