

## State of Minnesota

## HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. **1297**

03/02/2015 Authored by Uglem, Isaacson, Nash and Carlson

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

03/23/2015 Adoption of Report: Placed on the General Register as Amended  
Read Second Time

1.1 A bill for an act  
 1.2 relating to the Metropolitan Council; providing for staggered terms of  
 1.3 Metropolitan Council members; modifying the membership of the Metropolitan  
 1.4 Council to include local elected officials; providing for the council to select its  
 1.5 own chair; modifying the membership of the nominating committee; amending  
 1.6 Minnesota Statutes 2014, section 473.123, subdivisions 2a, 3, 4.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. Minnesota Statutes 2014, section 473.123, subdivision 2a, is amended to read:

1.9 Subd. 2a. **Terms.** Following each apportionment of council districts, as provided  
 1.10 under subdivision 3a, council members must be appointed from newly drawn districts as  
 1.11 provided in subdivision 3a. ~~Each council member, other than the chair, must reside in the~~  
 1.12 ~~council district represented. Each council district must be represented by one member of the~~  
 1.13 ~~council.~~ The terms of members ~~end with the term of the governor~~ are staggered as follows:  
 1.14 members representing even-numbered districts have terms ending the first Monday in  
 1.15 January of the year ending in the numeral "7"; and members representing odd-numbered  
 1.16 districts have terms ending the first Monday in January of the year ending in the numeral  
 1.17 "5." Thereafter the term of each member is four years, with terms ending the first Monday  
 1.18 in January, except that all terms expire on the effective date of the next apportionment.  
 1.19 ~~A member serves at the pleasure of the governor.~~ A member shall continue to serve the  
 1.20 member's district until a successor is appointed and qualified; except that, following each  
 1.21 apportionment, the member shall continue to serve at large until the governor appoints 16  
 1.22 council members, one from each of the newly drawn council districts as provided under  
 1.23 subdivision 3a, to serve terms as provided under this section. The appointment to the  
 1.24 council must be made by the first Monday in March of the year in which the term ends.

2.1 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
2.2 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
2.3 Scott, and Washington.

2.4 Sec. 2. Minnesota Statutes 2014, section 473.123, subdivision 3, is amended to read:

2.5 Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be  
2.6 appointed by the governor from districts defined by this section. Each council member  
2.7 must reside in the council district represented. Each council district must be represented  
2.8 by one member of the council. Each Metropolitan Council member must be an elected city  
2.9 council member or mayor, or county commissioner. A Metropolitan Council member's  
2.10 office becomes vacant if the person appointed to that position ceases to be an elected city  
2.11 council member or mayor, or county commissioner.

2.12 (b) In addition to the notice required by section 15.0597, subdivision 4, notice of  
2.13 vacancies and expiration of terms must be published in newspapers of general circulation  
2.14 in the metropolitan area and the appropriate districts. The governing bodies of the statutory  
2.15 and home rule charter cities, counties, and towns having territory in the district for which  
2.16 a member is to be appointed must be notified in writing. The notices must describe the  
2.17 appointments process and invite participation and recommendations on the appointment.

2.18 (c) ~~The governor shall create a nominating committee, composed~~ A committee of  
2.19 seven metropolitan citizens ~~appointed by the governor, to shall~~ shall nominate persons for  
2.20 appointment to the council from districts. Three of the committee members must be local  
2.21 elected officials appointed by Metro Cities, one must be a county commissioner appointed  
2.22 by the Association of Minnesota Counties, and three must be appointed by the governor.  
2.23 Following the submission of applications as provided under section 15.0597, subdivision  
2.24 5, the nominating committee shall conduct public meetings, after appropriate notice, to  
2.25 accept statements from or on behalf of persons who have applied or been nominated for  
2.26 appointment and to allow consultation with and secure the advice of the public and local  
2.27 elected officials. The committee shall hold the meeting on each appointment in the district  
2.28 or in a reasonably convenient and accessible location in the part of the metropolitan area  
2.29 in which the district is located. The committee may consolidate meetings. Following  
2.30 the meetings, the committee shall submit to the governor a list of nominees for each  
2.31 appointment. The governor is not required to appoint from the list.

2.32 (d) Before making an appointment, the governor shall consult with all members of  
2.33 the legislature from the council district for which the member is to be appointed.

2.34 (e) Appointments to the council are subject to the advice and consent of the senate as  
2.35 provided in section 15.066.

3.1 (f) Members of the council must be appointed to reflect fairly the various  
3.2 demographic, political, and other interests in the metropolitan area and the districts.

3.3 (g) Members of the council must be persons knowledgeable about urban and  
3.4 metropolitan affairs.

3.5 (h) Any vacancy in the office of a council member shall immediately be filled  
3.6 for the unexpired term. In filling a vacancy, the governor may forgo the requirements  
3.7 of paragraph (c) if the governor has made appointments in full compliance with the  
3.8 requirements of this subdivision within the preceding 12 months.

3.9 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
3.10 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
3.11 Scott, and Washington.

3.12 Sec. 3. Minnesota Statutes 2014, section 473.123, subdivision 4, is amended to read:

3.13 Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a)

3.14 The chair of the Metropolitan Council shall be ~~appointed~~ elected by the ~~governor~~ 16  
3.15 members of the council as the 17th voting member thereof by and with the advice and  
3.16 consent of the senate to serve at the pleasure of the ~~governor~~ council to represent the  
3.17 metropolitan area at large. Senate confirmation shall be as provided by section 15.066.

3.18 The chair of the Metropolitan Council shall, if present, preside at meetings of the  
3.19 council, have the primary responsibility for meeting with local elected officials, serve as  
3.20 the principal legislative liaison, present to the governor and the legislature, after council  
3.21 approval, the council's plans for regional governance and operations, serve as the principal  
3.22 spokesperson of the council, and perform other duties assigned by the council or by law.

3.23 (b) The Metropolitan Council shall elect other officers as it deems necessary for  
3.24 the conduct of its affairs for a one-year term. A secretary and treasurer need not be  
3.25 members of the Metropolitan Council. Meeting times and places shall be fixed by the  
3.26 Metropolitan Council and special meetings may be called by a majority of the members  
3.27 of the Metropolitan Council or by the chair. The chair and each Metropolitan Council  
3.28 member shall be reimbursed for actual and necessary expenses.

3.29 (c) Each member of the council shall attend and participate in council meetings  
3.30 and meet regularly with local elected officials and legislative members from the council  
3.31 member's district. Each council member shall serve on at least one division committee for  
3.32 transportation, environment, or community development.

3.33 (d) In the performance of its duties the Metropolitan Council may adopt policies  
3.34 and procedures governing its operation, establish committees, and, when specifically  
3.35 authorized by law, make appointments to other governmental agencies and districts.

4.1 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
4.2 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
4.3 Scott, and Washington. The term of the chair of the Metropolitan Council serving on the  
4.4 effective date of this section ends on that date, but the chair may continue serving until  
4.5 a new chair is elected by the council under this section.

4.6 Sec. 4. **METROPOLITAN COUNCIL APPOINTMENTS; IMMEDIATE**  
4.7 **TRANSITION TO STAGGERED TERMS.**

4.8 For members serving on the Metropolitan Council on the effective date of this  
4.9 section, other than the chair, members representing even-numbered districts shall serve  
4.10 terms ending the first Monday in January 2019, and members representing odd-numbered  
4.11 districts shall serve terms ending the first Monday in January 2017. Thereafter the term of  
4.12 each member is four years, with terms ending the first Monday in January.

4.13 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following  
4.14 final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,  
4.15 Scott, and Washington.