

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 3131**

(SENATE AUTHORS: TOMASSONI)

DATE	D-PG	OFFICIAL STATUS
03/23/2016	5231	Introduction and first reading Referred to State and Local Government
04/07/2016	5737a	Comm report: To pass as amended
	5745	Second reading
05/04/2016		Special Order: Amended Third reading Passed

1.1 A bill for an act  
 1.2 relating to the city of Hibbing; authorizing an increase in Hibbing's Public  
 1.3 Utility Commission membership; abolishing and replacing existing council  
 1.4 member wards; changing form of government; amending Laws 1949, chapter  
 1.5 422, section 2, as amended.

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

1.7 Section 1. Laws 1949, chapter 422, section 2, as amended by Laws 1951, chapter  
 1.8 680, section 2, is amended to read:

1.9 Sec. 2. **MEMBERS; APPOINTMENT, TERM, MEETINGS, QUORUM.**

1.10 ~~The commission, consisting of three members, shall be appointed by the village~~  
 1.11 ~~council for a term of three years. The original appointees shall serve one, two and three~~  
 1.12 ~~years respectively as designated by the council. Each commissioner shall hold office until~~  
 1.13 ~~his successor is appointed and qualified by subscribing to an oath that he will faithfully~~  
 1.14 ~~and impartially perform the duties of this office. A member of the commission shall be~~  
 1.15 ~~chairman of the commission during the last year of the term for which he is appointed. All~~  
 1.16 ~~members of any such existing commission shall remain in office until the expiration of~~  
 1.17 ~~their respective terms and until the appointment and qualification of their successors in~~  
 1.18 ~~office. The commission shall meet at least twice each month. Special meetings may be~~  
 1.19 ~~called by the chairman of the commission, and in addition, a majority of the members may~~  
 1.20 ~~call a special meeting by giving two days' written mailed notice thereof to all members who~~  
 1.21 ~~have not joined in the request for such special meeting. Two members of said commission~~  
 1.22 ~~constitute a quorum. The commission shall consist of five members appointed by the city~~  
 1.23 ~~council. The three members serving on the effective date of this section shall continue~~  
 1.24 ~~in office until their terms expire and their successors have been appointed and qualified.~~  
 1.25 The council shall appoint two additional members, one to serve for two years and one to

2.1 serve for three years. Thereafter, each member shall serve a three-year term and until the  
 2.2 member's successor is appointed and qualified. To be qualified, a member must take an  
 2.3 oath that the member will faithfully and impartially perform the duties of the office. The  
 2.4 commission shall elect a member to serve as chair of the commission at the first commission  
 2.5 meeting in April each year. A member may not serve as chair for two consecutive years.  
 2.6 The commission shall meet at least twice each month. Special meetings may be called by  
 2.7 the chair, and, in addition, a majority of the commission may call a special meeting by  
 2.8 giving two days' written notice sent by first class mail to each member that did not join in  
 2.9 the request for the special meeting. Three members of the commission constitute a quorum.

2.10 **LOCAL APPROVAL.** This section is effective the day after the Hibbing City  
 2.11 Council and the city's chief clerical officer timely complete compliance with Minnesota  
 2.12 Statutes, section 645.021, subdivisions 2 and 3.

2.13 Sec. 2. **CITY OF HIBBING; CHANGING WARD SYSTEM; ADOPTING**  
 2.14 **OPTIONAL PLAN A.**

2.15 Subdivision 1. **Abolishing existing ward system.** Notwithstanding Minnesota  
 2.16 Statutes, section 414.031, subdivision 4a, paragraph (d), the ward system for the election  
 2.17 of council persons that was established by the Order in the Matter of the Joint Resolution  
 2.18 of the Town of Stuntz and the City of Hibbing for Annexation of the Town of Stuntz to the  
 2.19 City of Hibbing, dated July 25, 1979, is abolished.

2.20 Subd. 2. **Plan of government; council members; wards.** (a) The city of Hibbing  
 2.21 must operate under the Optional Plan A form of government. Notwithstanding Minnesota  
 2.22 Statutes, section 412.551, no referendum is required. The council must consist of a  
 2.23 mayor and six council members. Two council members are elected at-large and four  
 2.24 council members are elected by ward. The mayor and council members serve staggered,  
 2.25 four-year terms.

2.26 (b) The city council shall, by ordinance, define the ward boundaries for new wards 1,  
 2.27 2, 3, and 4. The wards must comply with the requirements of Minnesota Statutes, section  
 2.28 205.84. The city council shall hold a public hearing on the proposed ordinance before its  
 2.29 adoption. The city clerk must publish notice in the official newspaper one week before  
 2.30 the hearing. The ordinance shall be published no earlier than 90 days before the primary  
 2.31 election in 2018 and no later than on the date of the primary election in 2018. The ordinance  
 2.32 shall be effective on the date of publication in the official newspaper of the city of Hibbing.

2.33 Subd. 3. **Transition.** (a) The city clerk-treasurer serving in office on the effective  
 2.34 date of this act shall complete the term. The clerk-treasurer position shall become an

3.1 appointed position when the term expires or the clerk-treasurer chooses to leave office,  
3.2 whichever is sooner.

3.3 (b) The members in office on the effective date of this act shall finish the terms to  
3.4 which the members were elected. The mayor, one at-large council member, and council  
3.5 members for wards 1 and 2 shall be elected in 2018 and serve four-year terms. One at-large  
3.6 council member and council members for wards 3 and 4 shall be elected in 2018 and serve  
3.7 two-year terms. Thereafter, the mayor and all council members shall serve four-year terms.

3.8 **EFFECTIVE DATE.** This section is effective the day after the governing body of  
3.9 the city of Hibbing and its chief clerical officer timely complete their compliance with  
3.10 Minnesota Statutes, section 645.021, subdivisions 2 and 3.