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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 2848

02/20/2018 Authored by Nash, Rarick, O'Neill, Franson, Albright and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to state government; prohibiting lobbyists and certain former lobbyists
1.3 from being appointed to multimember agencies; amending Minnesota Statutes
1.4 2016, section 15.0597, subdivision 6.

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

1.6 Section 1. Minnesota Statutes 2016, section 15.0597, subdivision 6, is amended to read:

1.7 Subd. 6. **Appointments.** (a) In making an appointment to a vacant agency position, the
1.8 appointing authority shall consider applications for positions in that agency supplied by the
1.9 secretary. No appointing authority may appoint someone to a vacant agency position until
1.10 (1) ten days after receipt of the applications for positions in that agency from the secretary
1.11 or (2) receipt of notice from the secretary that no applications have been received for vacant
1.12 positions in that agency. Unless expressly authorized by law or the executive order
1.13 establishing the agency, an appointing authority may not appoint an individual to fill a
1.14 vacant agency position if the individual is currently, or was within the preceding five years,
1.15 registered as a lobbyist under section 10A.03.

1.16 (b) At least five days before the date of appointment, the appointing authority shall issue
1.17 a public announcement and inform the secretary by electronic means of the name of the
1.18 person the appointing authority intends to appoint to fill the agency vacancy and the
1.19 expiration date of that person's term. If the appointing authority intends to appoint a person
1.20 other than one for whom an application was submitted pursuant to this section, the appointing
1.21 authority shall complete an application form on behalf of the appointee and submit it to the
1.22 secretary indicating on the application that it is submitted by the appointing authority.

- 2.1 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to appointments
- 2.2 to fill vacancies made on or after that date.