

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 3594

(SENATE AUTHORS: ISAACSON)

DATE
03/19/2018

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Introduction and first reading
Referred to Higher Education Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to higher education; empowering the Board of Regents of the University
 1.3 of Minnesota to remove a regent for malfeasance or nonfeasance; amending
 1.4 Minnesota Statutes 2016, section 137.02, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 137.02, is amended by adding a subdivision
 1.7 to read:

1.8 Subd. 5. **Removal of regent.** (a) The Board of Regents may, by a two-thirds vote of its
 1.9 membership, remove any elected regent for malfeasance or nonfeasance in performance of
 1.10 the regent's duties. The board may only vote to remove a regent after the regent has received
 1.11 notice and a public hearing.

1.12 (b) "Malfeasance" means the willful commission of an unlawful or wrongful act in the
 1.13 performance of a regent's duties which is outside the scope of the regent's authority and
 1.14 which infringes on the rights of any person or entity. "Nonfeasance" means the willful
 1.15 failure to perform a specific act which is a required part of a regent's duties.

1.16 (c) If the board votes to remove a regent under this subdivision, the position is vacant
 1.17 effective immediately and the vacancy shall be filled as provided in article 13, section 3,
 1.18 of the Constitution of the state of Minnesota and Territorial Laws 1851, chapter 3, section
 1.19 6.