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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2791

03/06/2014 Authored by Scott; Anderson, S.; Newberger; Peppin and Albright
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to metropolitan government; providing for staggering of Metropolitan
1.3 Council members' terms; providing that members of the Metropolitan Council
1.4 must be local elected officials; amending Minnesota Statutes 2012, section
1.5 473.123, subdivisions 2a, 3.

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

1.7 Section 1. Minnesota Statutes 2012, section 473.123, subdivision 2a, is amended to read:

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

1.24 Sec. 2. Minnesota Statutes 2012, section 473.123, subdivision 3, is amended to read:

2.1 Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be
2.2 appointed by the governor from districts defined by this section. Each council member
2.3 must reside in the council district represented. Each council district must be represented
2.4 by one member of the council. Each council member must be an elected member of the
2.5 governing body of a statutory or home rule charter city, county, or town that has at least
2.6 50 percent of the city, county, or town population within the council district. Population
2.7 is determined as of the most recent federal decennial census. A council member's seat
2.8 is vacant if the council member is not a currently serving elected member of the local
2.9 governing body. The office of metropolitan council member is compatible with the office
2.10 of city council member, county board commissioner, or town supervisor.

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

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

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

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

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

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

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

3.5 Sec. 3. **TRANSITION.**

3.6 Subdivision 1. Termination of current council member terms. The terms of all
3.7 members serving on the Metropolitan Council, other than the chair, terminate on the
3.8 effective date of this act.

3.9 Subd. 2. Initial appointments. This subdivision is effective the day following final
3.10 enactment. The governor shall appoint members following the procedures in Minnesota
3.11 Statutes, chapter 473, to serve terms beginning January 5, 2015. Members representing
3.12 even-numbered districts shall serve terms ending the first Monday in January 2017,
3.13 and members representing odd-numbered districts shall serve for terms ending the first
3.14 Monday in January 2019. Thereafter, the term of each member is four years, with terms
3.15 ending the first Monday in January.

3.16 Sec. 4. **EFFECTIVE DATE; APPLICATION.**

3.17 Except as otherwise provided, this act is effective January 5, 2015, and applies in the
3.18 counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.