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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2857

04/26/2019 Authored by Johnson

The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division

1.1 A bill for an act  
1.2 relating to public safety; providing for senate confirmation of certain members of  
1.3 the Minnesota Sentencing Guidelines Commission; amending Minnesota Statutes  
1.4 2018, section 244.09, subdivisions 2, 3.

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

1.6 Section 1. Minnesota Statutes 2018, section 244.09, subdivision 2, is amended to read:

1.7 Subd. 2. **Members.** The Sentencing Guidelines Commission shall consist of the  
1.8 following:

- 1.9 (1) the chief justice of the supreme court or a designee;
- 1.10 (2) one judge of the court of appeals, appointed by the chief justice of the supreme court;
- 1.11 (3) one district court judge appointed by the chief justice of the supreme court;
- 1.12 (4) one public defender appointed by the governor upon recommendation of the state  
1.13 public defender;
- 1.14 (5) one county attorney appointed by the governor upon recommendation of the board  
1.15 of directors of the Minnesota County Attorneys Association;
- 1.16 (6) the commissioner of corrections or a designee;
- 1.17 (7) one peace officer as defined in section 626.84 appointed by the governor;
- 1.18 (8) one probation officer or parole officer appointed by the governor; and
- 1.19 (9) three public members appointed by the governor, one of whom shall be a victim of  
1.20 a crime defined as a felony.

2.1 When an appointing authority selects individuals for membership on the commission,  
2.2 the authority shall make reasonable efforts to appoint qualified members of protected groups,  
2.3 as defined in section 43A.02, subdivision 33.

2.4 One of the members shall be designated by the governor as chair of the commission.

2.5 The appointments of members described in clauses (2), (3), (4), (5), (7), (8), and (9),  
2.6 are to be made with the advice and consent of the senate. Section 15.066 applies to these  
2.7 appointments.

2.8 Sec. 2. Minnesota Statutes 2018, section 244.09, subdivision 3, is amended to read:

2.9 Subd. 3. **Appointment terms.** Each appointed member shall be appointed for four years  
2.10 and shall continue to serve during that time as long as the member occupies the position  
2.11 ~~which~~ that made the member eligible for the appointment. Each member shall continue in  
2.12 office until a successor is duly appointed and, if applicable, confirmed by the senate.  
2.13 Members shall be eligible for reappointment, and appointment may be made to fill an  
2.14 unexpired term. ~~The term of any member appointed or reappointed by the governor before~~  
2.15 ~~the first Monday in January 1991 expires on that date.~~ The term of any member appointed  
2.16 or reappointed by the governor ~~after the first Monday in January 1991~~ is coterminous with  
2.17 the governor. The members of the commission shall elect any additional officers necessary  
2.18 for the efficient discharge of their duties.