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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4905

05/23/2022

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The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to state government; proposing an amendment to the state constitution
1.3 modifying the requirement for the advice and consent of the senate to the
1.4 appointment of certain officers.

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

1.6 Section 1. CONSTITUTIONAL AMENDMENT PROPOSED.

1.7 An amendment to the Minnesota Constitution is proposed to the people. If the amendment
1.8 is adopted, article V, section 3, will read:

1.9 Sec. 3. The governor shall communicate by message to each session of the legislature
1.10 information touching the state and country. He is commander-in-chief of the military and
1.11 naval forces and may call them out to execute the laws, suppress insurrection and repel
1.12 invasion. He may require the opinion in writing of the principal officer in each of the
1.13 executive departments upon any subject relating to his duties. With the advice and consent
1.14 of the senate he may appoint notaries public and other officers provided by law, provided
1.15 that the consent of the senate is not required if the senate has not acted upon an appointment
1.16 within 60 legislative days of its submission, if submitted more than 90 calendar days prior
1.17 to adjournment sine die of a regular session of the legislature, or within 60 legislative days
1.18 after the next legislature is convened, if submitted fewer than 90 calendar days prior to
1.19 adjournment sine die of a regular session of the legislature. He may appoint commissioners
1.20 to take the acknowledgment of deeds or other instruments in writing to be used in the state.
1.21 He shall take care that the laws be faithfully executed. He shall fill any vacancy that may
1.22 occur in the offices of secretary of state, auditor, attorney general and the other state and
1.23 district offices hereafter created by law until the end of the term for which the person who

2.1 had vacated the office was elected or the first Monday in January following the next general
2.2 election, whichever is sooner, and until a successor is chosen and qualified.

2.3 Sec. 2. SUBMISSION TO VOTERS.

2.4 The proposed amendment must be submitted to the people at the 2022 general election.

2.5 The question submitted must be:

2.6 "Shall the Minnesota Constitution be amended to waive the requirement of senate advice
2.7 and consent for a governor's appointment of officers if the senate has not acted on the
2.8 appointment within 60 legislative days of its submission?

2.9 Yes

2.10 No "