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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3372

- 03/05/2018 Authored by Nornes, Pelowski, Schultz and Omar
- 03/21/2018 The bill was read for the first time and referred to the Committee on Higher Education and Career Readiness Policy and Finance
- 03/21/2018 Adoption of Report: Amended and re-referred to the Committee on Government Operations and Elections Policy
- 03/26/2018 Adoption of Report: Placed on the General Register
- 03/26/2018 Read for the Second Time

1.1 A bill for an act

1.2 relating to higher education; modifying the process for electing members of the

1.3 Board of Regents of the University of Minnesota; amending Minnesota Statutes

1.4 2016, sections 137.0245; 137.0246.

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

1.6 Section 1. Minnesota Statutes 2016, section 137.0245, is amended to read:

1.7 **137.0245 ~~REGENT CANDIDATE ADVISORY COUNCIL~~ LEGISLATIVE**

1.8 **COMMISSION ON REGENT SELECTION.**

1.9 Subdivision 1. **Establishment.** A ~~Regent Candidate Advisory Council~~ Legislative

1.10 Commission on Regent Selection is established to assist in determining criteria for, and

1.11 identifying and recruiting qualified candidates for membership on the Board of Regents

1.12 and making recommendations to the joint legislative committee described in section

1.13 137.0246, subdivision 2.

1.14 Subd. 2. **Membership.** (a) ~~The Regent Candidate Advisory Council shall~~ Legislative

1.15 Commission on Regent Selection ~~consist~~ consists of: ~~24 members. Twelve members shall~~

1.16 ~~be appointed by the Subcommittee on Committees of the Committee on Rules and~~

1.17 ~~Administration of the senate. Twelve members shall be appointed by the speaker of the~~

1.18 ~~house. Each appointing authority must appoint one member who is a student enrolled in a~~

1.19 ~~degree program at the University of Minnesota at the time of appointment. No more than~~

1.20 ~~one-third of the members appointed by each appointing authority may be current or former~~

1.21 ~~legislators. No more than two-thirds of the members appointed by each appointing authority~~

1.22 ~~may belong to the same political party; however, political activity or affiliation is not required~~

1.23 ~~for the appointment of any member. Geographical representation must be taken into~~

2.1 ~~consideration when making appointments. Section 15.0575 shall govern the advisory council,~~  
2.2 ~~except that:~~

2.3 ~~(1) the members shall be appointed to six-year terms with one-third appointed each~~  
2.4 ~~even-numbered year; and~~

2.5 ~~(2) student members are appointed to two-year terms with two students appointed each~~  
2.6 ~~even-numbered year.~~

2.7 ~~A member may not serve more than two full terms~~

2.8 (1) four members of the house of representatives, two of whom are appointed by the  
2.9 speaker of the house and two of whom are appointed by the minority leader; and

2.10 (2) four members of the senate, two of whom are appointed by the majority leader and  
2.11 two of whom are appointed by the minority leader.

2.12 (b) Members serve at the pleasure of the appointing authority. The first appointments  
2.13 must be made by September 1, 2018.

2.14 (c) A chair of the commission serves a two-year term, expiring on June 30 in an  
2.15 even-numbered year. The chair must alternate biennially between a designee of the speaker  
2.16 of the house and a designee of the senate majority leader. The speaker of the house shall  
2.17 designate the first chair. The chair may vote on any matter before the commission.

2.18 Subd. 3. **Duties.** (a) ~~The advisory council~~ commission shall:

2.19 (1) develop, in consultation with current and former regents, the University of Minnesota  
2.20 Alumni Association, and the administration of the University of Minnesota, a statement of  
2.21 the selection criteria to be applied and a description of the responsibilities and duties of a  
2.22 regent, and shall distribute this to potential candidates; and

2.23 (2) for each position on the board, identify and recruit qualified candidates for the Board  
2.24 of Regents, based on the background and experience of the candidates, their potential for  
2.25 discharging the responsibilities of a member of the Board of Regents, and the needs of the  
2.26 board. The selection criteria must not include a limitation on the number of terms an  
2.27 individual may serve on the Board of Regents.

2.28 (b) The selection criteria developed under paragraph (a), clause (1), must include a  
2.29 criterion that regents represent diversity in geography; gender; race; occupation, including  
2.30 business and labor; and experience.

2.31 (c) The selection criterion must include an identification of the membership needs of  
2.32 the board for individual skills relevant to the governance of the University of Minnesota

3.1 and the needs for certain individual characteristics. Individual characteristics relate to  
3.2 qualities such as gender, race, and geographic location of residence.

3.3 Subd. 4. **Recommendations.** (a) The ~~advisory council~~ commission shall recommend at  
3.4 least ~~two~~ one and not more than ~~four~~ three candidates for each vacancy. By January 15 of  
3.5 each odd-numbered year, the ~~advisory council~~ commission shall submit its recommendations  
3.6 to the joint legislative committee described in section 137.0246, subdivision 2.

3.7 (b) The ~~advisory council~~ commission must submit a report to the joint committee on the  
3.8 needs criterion identified under subdivision 3, paragraph (c), at the same time it submits its  
3.9 recommendations.

3.10 Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide  
3.11 administrative and support services for the ~~advisory council~~ commission. The Legislative  
3.12 Coordinating Commission shall collect application materials from regent candidates and  
3.13 forward all materials to the Legislative Commission on Regent Selection.

3.14 Sec. 2. Minnesota Statutes 2016, section 137.0246, is amended to read:

3.15 **137.0246 REGENT NOMINATION AND ELECTION.**

3.16 Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee  
3.17 consists of the members of the higher education budget and policy divisions in each house  
3.18 of the legislature. The chairs of the divisions from each body shall be cochairs of the joint  
3.19 legislative committee. A majority of the members from each house is a quorum of the joint  
3.20 committee.

3.21 (b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent  
3.22 resolution, the joint legislative committee shall meet to consider the ~~advisory council's~~  
3.23 Legislative Commission on Regent Selection's recommendations for regent of the University  
3.24 of Minnesota for possible presentation to a joint convention of the legislature.

3.25 (c) The joint committee may recommend to the joint convention candidates recommended  
3.26 by the ~~advisory council~~ Legislative Commission on Regent Selection and the other candidates  
3.27 nominated by the joint committee. A candidate other than those recommended by the  
3.28 ~~advisory council~~ Legislative Commission on Regent Selection may be nominated for  
3.29 consideration by the joint committee only if the nomination receives the support of at least  
3.30 three house of representatives members of the committee and two senate members of the  
3.31 committee. A candidate must receive a majority vote of members from the house of  
3.32 representatives and from the senate on the joint committee to be recommended to the joint  
3.33 convention. The joint committee may recommend no more than one candidate for each

- 4.1 vacancy. In recommending nominees, the joint committee must consider the needs of the
- 4.2 board of regents and the balance of the board membership with respect to gender, racial,
- 4.3 and ethnic composition.