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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3877

03/15/2018 Authored by Schultz, Rosenthal and Bly
The bill was read for the first time and referred to the Committee on Higher Education and Career Readiness Policy and Finance

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, section 137.0246; repealing Minnesota Statutes 2016, section 137.0245.

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

1.6 Section 1. Minnesota Statutes 2016, section 137.0246, is amended to read:

1.7 **137.0246 REGENT NOMINATION AND ELECTION.**

1.8 Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee
1.9 consists of the members of the higher education budget and policy divisions in each house
1.10 of the legislature. The chairs of the divisions from each body shall be cochairs of the joint
1.11 legislative committee. A majority of the members from each house is a quorum of the joint
1.12 committee.

1.13 ~~(b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent~~
1.14 ~~resolution, the joint legislative committee shall meet to consider the advisory council's~~
1.15 ~~recommendations for regent of the University of Minnesota for possible presentation to a~~
1.16 ~~joint convention of the legislature.~~

1.17 ~~(c) The joint committee may recommend to the joint convention candidates recommended~~
1.18 ~~by the advisory council and the other candidates nominated by the joint committee. A~~
1.19 ~~candidate other than those recommended by the advisory council may be nominated for~~
1.20 ~~consideration by the joint committee only if the nomination receives the support of at least~~
1.21 ~~three house of representatives members of the committee and two senate members of the~~
1.22 ~~committee. A candidate must receive a majority vote of members from the house of~~
1.23 ~~representatives and from the senate on the joint committee to be recommended to the joint~~

2.1 ~~convention. The joint committee may recommend no more than one candidate for each~~
 2.2 ~~vacancy. In recommending nominees, the joint committee must consider the needs of the~~
 2.3 ~~board of regents and the balance of the board membership with respect to gender, racial,~~
 2.4 ~~and ethnic composition.~~

2.5 Subd. 3. **Joint committee responsibilities.** (a) The committee must identify, recruit,
 2.6 and screen qualified candidates for vacant positions on the Board of Regents of the University
 2.7 of Minnesota. In its recruitment efforts, the joint committee must seek to recruit a pool of
 2.8 candidates that is diverse with respect to its gender, racial, and ethnic composition.

2.9 (b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent
 2.10 resolution, the committee shall meet to consider candidates for regent of the University of
 2.11 Minnesota for possible recommendation to the joint convention of the senate and house of
 2.12 representatives called to elect regents. To be nominated for consideration by the joint
 2.13 committee, a candidate must receive the support of at least three house of representatives
 2.14 members of the committee and two senate members of the committee.

2.15 (c) The joint committee must recommend to the joint convention two candidates for
 2.16 each vacant position on the Board of Regents. A candidate must receive a majority vote of
 2.17 members from the house of representatives and from the senate on the joint committee to
 2.18 be recommended to the joint convention. In recommending nominees, the joint committee
 2.19 must consider the needs of the Board of Regents and the balance of the board membership
 2.20 with respect to gender, racial, and ethnic composition. Whenever possible given the pool
 2.21 of nominated candidates, the two recommended candidates must be of different genders.

2.22 Subd. 4. **Joint convention to elect regents.** At the joint convention of the senate and
 2.23 house of representatives called to elect regents, the joint committee shall report the name
 2.24 of the persons recommended for each vacancy. These persons are considered to be nominated.
 2.25 No additional nominations may be submitted.

2.26 Subd. 5. **Joint rules must conform to this section.** The joint rules of the senate and
 2.27 house of representatives must be amended to conform to the requirements of this section.
 2.28 If there is a conflict between the joint rules and this section, this section prevails.

2.29 Subd. 6. **Support services.** The Legislative Coordinating Commission shall provide
 2.30 administrative and support services for the joint committee, at the request of the co-chairs,
 2.31 to assist in identifying, recruiting, and screening qualified candidates.

2.32 Sec. 2. **REPEALER.**

2.33 Minnesota Statutes 2016, section 137.0245, is repealed.

137.0245 REGENT CANDIDATE ADVISORY COUNCIL.

Subdivision 1. **Establishment.** A Regent Candidate Advisory Council is established to assist in determining criteria for, and identifying and recruiting qualified candidates for membership on the Board of Regents and making recommendations to the joint legislative committee described in section 137.0246, subdivision 2.

Subd. 2. **Membership.** The Regent Candidate Advisory Council shall consist of 24 members. Twelve members shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members shall be appointed by the speaker of the house. Each appointing authority must appoint one member who is a student enrolled in a degree program at the University of Minnesota at the time of appointment. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of any member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 shall govern the advisory council, except that:

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

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

A member may not serve more than two full terms.

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

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

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

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

(c) The selection criterion must include an identification of the membership needs of the board for individual skills relevant to the governance of the University of Minnesota and the needs for certain individual characteristics. Individual characteristics relate to qualities such as gender, race, and geographic location of residence.

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

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

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.