

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 780

(SENATE AUTHORS: DIBBLE)

DATE	D-PG	OFFICIAL STATUS
02/12/2015	272	Introduction and first reading Referred to State and Local Government

A bill for an act

relating to metropolitan government; providing for the election of Metropolitan Council members; eliminating the Grant Evaluation and Ranking System; providing for redesignating the Metropolitan Council as the Metropolitan Planning Organization; amending Minnesota Statutes 2014, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4a; 204B.09, subdivisions 1, 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 290.06, subdivision 23; 297A.992, subdivisions 1, 4, 5; 353D.01, subdivision 2; 473.123, subdivisions 1, 4, by adding subdivisions; 473.146, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; 473; repealing Minnesota Statutes 2014, section 473.123, subdivisions 2a, 3, 3a; Laws 1994, chapter 628, article 1, section 8.

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

Section 1. Minnesota Statutes 2014, section 10A.01, subdivision 10, is amended to read:

Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election as a state constitutional officer, legislator, ~~or~~ judge, or Metropolitan Council member. An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of \$750, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$750, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section 10A.243.

Sec. 2. Minnesota Statutes 2014, section 10A.09, subdivision 6a, is amended to read:

2.1 Subd. 6a. **Place of filing.** A public official required to file a statement under this
2.2 section must file it with the board. A local official required to file a statement under this
2.3 section must file it with the governing body of the official's political subdivision, except
2.4 that a member of the Metropolitan Council must file the statement with the board. The
2.5 governing body must maintain statements filed with it under this subdivision as public
2.6 data. If an official position is defined as both a public official and as a local official of
2.7 a metropolitan governmental unit under this chapter, the official must file the statement
2.8 with the board.

2.9 Sec. 3. Minnesota Statutes 2014, section 10A.25, subdivision 2, is amended to read:

2.10 Subd. 2. **Amounts.** (a) In a segment of an election cycle, the principal campaign
2.11 committee of the candidate must not make campaign expenditures nor permit approved
2.12 expenditures to be made on behalf of the candidate that result in aggregate expenditures in
2.13 excess of the following:

2.14 (1) for governor and lieutenant governor, running together, \$3,651,200 in the
2.15 election segment and \$1,564,800 in the nonelection segment;

2.16 (2) for attorney general, \$626,000 in the election segment and \$208,700 in the
2.17 nonelection segment;

2.18 (3) for secretary of state and state auditor, separately, \$417,300 in the election
2.19 segment and \$104,400 in the nonelection segment;

2.20 (4) for state senator, \$90,000 in the election segment and \$30,000 in a nonelection
2.21 segment;

2.22 (5) for state representative, \$62,600 in the election segment; and

2.23 (6) for a member of the Metropolitan Council, \$90,000 in the election segment
2.24 and \$30,000 in the nonelection segment.

2.25 (b) In addition to the amount in paragraph (a), clause (1), a candidate for
2.26 endorsement for the office of lieutenant governor at the convention of a political party
2.27 may make campaign expenditures and approved expenditures of five percent of that
2.28 amount to seek endorsement.

2.29 (c) If a special election cycle occurs during a general election cycle, expenditures by
2.30 or on behalf of a candidate in the special election do not count as expenditures by or on
2.31 behalf of the candidate in the general election.

2.32 (d) The expenditure limits in this subdivision for an office are increased by ten
2.33 percent for a candidate who has not previously held the same office, whose name has not
2.34 previously been on the primary or general election ballot for that office, and who has not
2.35 in the past ten years raised or spent more than \$750 in a run for any other office whose

3.1 territory now includes a population that is more than one-third of the population in the
 3.2 territory of the new office. In the case of a legislative candidate, the office is that of a
 3.3 member of the house of representatives or senate without regard to any specific district.

3.4 Sec. 4. Minnesota Statutes 2014, section 10A.27, subdivision 1, is amended to read:

3.5 Subdivision 1. **Contribution limits.** (a) Except as provided in subdivision 2,
 3.6 a candidate must not permit the candidate's principal campaign committee to accept
 3.7 aggregate contributions made or delivered by any individual, political committee, political
 3.8 fund, or association not registered with the board in excess of the following:

3.9 (1) to candidates for governor and lieutenant governor running together, \$4,000
 3.10 in the election segment of an election cycle for the office sought and \$2,000 in the
 3.11 nonelection segment of the election cycle;

3.12 (2) to a candidate for attorney general, \$2,500 in the election segment of an election
 3.13 cycle for the office sought and \$1,500 in the nonelection segment of the election cycle;

3.14 (3) to a candidate for secretary of state or state auditor, \$2,000 in the election
 3.15 segment of an election cycle and \$1,000 in the nonelection segment of the election cycle;

3.16 (4) to a candidate for state senator, \$1,000 in the election segment of an election
 3.17 cycle for the office sought and \$1,000 in a nonelection segment of the election cycle;

3.18 (5) to a candidate for state representative, \$1,000 in the election segment of an
 3.19 election cycle for the office sought; ~~and~~

3.20 (6) to a candidate for judicial office, \$2,500 in the election segment of an election
 3.21 cycle for the office sought and \$1,000 in a nonelection segment of the election cycle; ~~and~~

3.22 (7) to a candidate for the Metropolitan Council, \$1,000 in the election segment
 3.23 of an election cycle for the office sought and \$1,000 in a nonelection segment of the
 3.24 election cycle.

3.25 (b) The following deliveries are not subject to the bundling limitation in this
 3.26 subdivision:

3.27 (1) delivery of contributions collected by a member of the candidate's principal
 3.28 campaign committee, such as a block worker or a volunteer who hosts a fund-raising
 3.29 event, to the committee's treasurer; and

3.30 (2) a delivery made by an individual on behalf of the individual's spouse.

3.31 (c) A lobbyist, political committee, political party unit, an association that has a
 3.32 political fund, or an association not registered with the board must not make a contribution
 3.33 a candidate is prohibited from accepting.

3.34 Sec. 5. [10A.313] METROPOLITAN COUNCIL PUBLIC SUBSIDY.

4.1 Subdivision 1. **Funding.** The Metropolitan Council must provide sufficient money
 4.2 to pay the public subsidy provided for in this section.

4.3 Subd. 2. **Eligibility.** A candidate is eligible to receive a public subsidy in the amount
 4.4 of \$20,000 if the candidate has filed with the board a spending limit agreement under
 4.5 section 10A.322 and an affidavit of contributions under section 10A.323, the candidate
 4.6 was opposed in the primary election or will be opposed in the general election, and the
 4.7 candidate's name will appear on the ballot in the general election.

4.8 Subd. 3. **Certification.** Within one week after the last day for filing a spending limit
 4.9 agreement under section 10A.322 and an affidavit of contributions under section 10A.323,
 4.10 the board must certify to the Metropolitan Council the maximum number of candidates
 4.11 eligible to receive the public subsidy if they survive the primary election. Within one
 4.12 week after receiving the certification, the Metropolitan Council must pay the board the
 4.13 amount necessary to fund the public subsidy for that number of candidates. The amount
 4.14 received must be deposited in the state treasury and credited to a Metropolitan Council
 4.15 public subsidy account in the special revenue fund. Money in the fund is appropriated
 4.16 to the board for purposes of the public subsidy program.

4.17 Subd. 4. **Payment.** The board shall pay the public subsidy to the eligible candidates
 4.18 as soon as the board has obtained from the secretary of state the results of the primary
 4.19 election but not later than one week after certification by the State Canvassing Board of
 4.20 the results of the primary. Amounts not paid to candidates, or returned by them to the
 4.21 board, must be returned by the board to the Metropolitan Council.

4.22 Sec. 6. Minnesota Statutes 2014, section 10A.315, is amended to read:

4.23 **10A.315 SPECIAL ELECTION SUBSIDY.**

4.24 Subdivision 1. **Legislative office.** (a) Each eligible candidate for a legislative office
 4.25 in a special election must be paid a public subsidy equal to the sum of:

4.26 (1) the party account money at the last general election for the candidate's party
 4.27 for the office the candidate is seeking; and

4.28 (2) the general account money paid to a candidate for the same office at the last
 4.29 general election.

4.30 (b) A candidate who wishes to receive this public subsidy must submit a signed
 4.31 agreement under section 10A.322 to the board and must meet the contribution
 4.32 requirements of section 10A.323. The special election subsidy must be distributed in the
 4.33 same manner as money in the party and general accounts is distributed to legislative
 4.34 candidates in a general election.

5.1 (c) The amount necessary to make the payments required by this section is
 5.2 appropriated from the general fund for transfer to the state special elections campaign
 5.3 account for distribution by the board as set forth in this section.

5.4 Subd. 2. Metropolitan Council office. Each eligible candidate for Metropolitan
 5.5 Council office in a special election must be paid a public subsidy equal to the subsidy paid
 5.6 in a general election. To be eligible to receive this public subsidy, a candidate must file a
 5.7 spending limit agreement under section 10A.322 and meet the contribution requirements of
 5.8 section 10A.323, except that the candidate may count contributions received during the two
 5.9 months immediately preceding the special election, other than contributions the candidate
 5.10 has previously included on an affidavit for another election, and the amount required is
 5.11 one-quarter of the amount stated in section 10A.323. To receive the subsidy, the candidate
 5.12 must be opposed in either the primary or the general election. The special election subsidy
 5.13 must be distributed in the same manner as the public subsidy in a general election.

5.14 Sec. 7. Minnesota Statutes 2014, section 10A.323, is amended to read:

5.15 **10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

5.16 (a) In addition to the requirements of section 10A.322, to be eligible to receive a
 5.17 public subsidy under section 10A.31 a candidate or the candidate's treasurer must:

5.18 (1) between January 1 of the previous year and the cutoff date for transactions
 5.19 included in the report of receipts and expenditures due before the primary election,
 5.20 accumulate contributions from individuals eligible to vote in this state in at least the
 5.21 amount indicated for the office sought, counting only the first \$50 received from each
 5.22 contributor, excluding in-kind contributions:

5.23 (i) candidates for governor and lieutenant governor running together, \$35,000;

5.24 (ii) candidates for attorney general, \$15,000;

5.25 (iii) candidates for secretary of state and state auditor, separately, \$6,000;

5.26 (iv) candidates for the senate, \$3,000; ~~and~~

5.27 (v) candidates for the house of representatives, \$1,500; and

5.28 (vi) candidates for the Metropolitan Council, \$3,000;

5.29 (2) file an affidavit with the board stating that the principal campaign committee has
 5.30 complied with this paragraph. The affidavit must state the total amount of contributions
 5.31 that have been received from individuals eligible to vote in this state, excluding:

5.32 (i) the portion of any contribution in excess of \$50;

5.33 (ii) any in-kind contribution; and

5.34 (iii) any contribution for which the name and address of the contributor is not known
 5.35 and recorded; and

6.1 (3) submit the affidavit required by this section to the board in writing by the
6.2 deadline for reporting of receipts and expenditures before a primary under section 10A.20,
6.3 subdivision 4.

6.4 (b) A candidate for a vacancy to be filled at a special election for which the filing
6.5 period does not coincide with the filing period for the general election must accumulate
6.6 the contributions specified in paragraph (a) and must submit the affidavit required by this
6.7 section to the board within five days after the close of the filing period for the special
6.8 election for which the candidate filed.

6.9 Sec. 8. Minnesota Statutes 2014, section 10A.324, subdivision 1, is amended to read:

6.10 Subdivision 1. **When return required.** A candidate must return all or a portion
6.11 of the public subsidy received from the state elections campaign account or the public
6.12 subsidy received under section 10A.313 or 10A.315, under the circumstances in this
6.13 section or section 10A.257, subdivision 1.

6.14 To the extent that the amount of public subsidy received exceeds the aggregate of:
6.15 (1) actual expenditures made by the principal campaign committee of the candidate; and
6.16 (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's
6.17 principal campaign committee must return an amount equal to the difference to the board.
6.18 The cost of postage that was not used during an election cycle and payments that created
6.19 credit balances at vendors at the close of an election cycle are not considered expenditures
6.20 for purposes of determining the amount to be returned. Expenditures in excess of the
6.21 candidate's spending limit do not count in determining aggregate expenditures under
6.22 this paragraph.

6.23 Sec. 9. Minnesota Statutes 2014, section 15.0597, subdivision 1, is amended to read:

6.24 Subdivision 1. **Definitions.** As used in this section, the following terms shall have
6.25 the meanings given them.

6.26 (a) "Agency" means (1) a state board, commission, council, committee, authority,
6.27 task force, including an advisory task force created under section 15.014 or 15.0593, a
6.28 group created by executive order of the governor, or other similar multimember agency
6.29 created by law and having statewide jurisdiction; and (2) ~~the Metropolitan Council, a~~
6.30 metropolitan agency, Capitol Area Architectural and Planning Board, and any agency with
6.31 a regional jurisdiction created in this state pursuant to an interstate compact.

6.32 (b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing
6.33 agency, or (2) a new, unfilled agency position. Vacancy includes a position that is to
6.34 be filled through appointment of a nonlegislator by a legislator or group of legislators;

7.1 vacancy does not mean (1) a vacant position on an agency composed exclusively of
7.2 persons employed by a political subdivision or another agency, or (2) a vacancy to be filled
7.3 by a person required to have a specific title or position.

7.4 (c) "Secretary" means the secretary of state.

7.5 Sec. 10. Minnesota Statutes 2014, section 204B.06, subdivision 4a, is amended to read:

7.6 Subd. 4a. **State and local offices.** Candidates who seek nomination for the
7.7 following offices shall state the following additional information on the affidavit:

7.8 (1) for governor or lieutenant governor, that on the first Monday of the next January
7.9 the candidate will be 25 years of age or older and, on the day of the state general election,
7.10 a resident of Minnesota for not less than one year;

7.11 (2) for Supreme Court justice, Court of Appeals judge, or district court judge, that
7.12 the candidate is learned in the law;

7.13 (3) for Metropolitan Council, county, municipal, school district, or special district
7.14 office, that the candidate meets any other qualifications for that office prescribed by law;

7.15 (4) for senator or representative in the legislature, that on the day of the general or
7.16 special election to fill the office the candidate will have resided not less than one year in
7.17 the state and not less than six months in the legislative district from which the candidate
7.18 seeks election.

7.19 Sec. 11. Minnesota Statutes 2014, section 204B.09, subdivision 1, is amended to read:

7.20 Subdivision 1. **Candidates in state and county general elections.** (a) Except as
7.21 otherwise provided by this subdivision, affidavits of candidacy and nominating petitions
7.22 for Metropolitan Council, county, state, and federal offices filled at the state general
7.23 election shall be filed not more than 84 days nor less than 70 days before the state primary.
7.24 The affidavit may be prepared and signed at any time between 60 days before the filing
7.25 period opens and the last day of the filing period.

7.26 (b) Notwithstanding other law to the contrary, the affidavit of candidacy must be
7.27 signed in the presence of a notarial officer or an individual authorized to administer oaths
7.28 under section 358.10.

7.29 (c) This provision does not apply to candidates for presidential elector nominated by
7.30 major political parties. Major party candidates for presidential elector are certified under
7.31 section 208.03. Other candidates for presidential electors may file petitions at least 77
7.32 days before the general election day pursuant to section 204B.07. Nominating petitions to
7.33 fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or
7.34 petition shall be accepted later than 5:00 p.m. on the last day for filing.

8.1 (d) Affidavits and petitions for county offices must be filed with the county auditor of
 8.2 that county. Affidavits and petitions for federal offices must be filed with the secretary of
 8.3 state. Affidavits and petitions for state and Metropolitan Council offices must be filed with
 8.4 the secretary of state or with the county auditor of the county in which the candidate resides.

8.5 (e) Affidavits other than those filed pursuant to subdivision 1a must be submitted
 8.6 by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and
 8.7 must be received by 5:00 p.m. on the last day for filing.

8.8 Sec. 12. Minnesota Statutes 2014, section 204B.09, subdivision 1a, is amended to read:

8.9 Subd. 1a. **Absent candidates.** (a) A candidate for special district, county,
 8.10 Metropolitan Council, state, or federal office who will be absent from the state during the
 8.11 filing period may submit a properly executed affidavit of candidacy, the appropriate filing
 8.12 fee, and any necessary petitions in person to the filing officer. The candidate shall state in
 8.13 writing the reason for being unable to submit the affidavit during the filing period. The
 8.14 affidavit, filing fee, if any, and petitions must be submitted to the filing officer during the
 8.15 seven days immediately preceding the candidate's absence from the state. Nominating
 8.16 petitions may be signed during the 14 days immediately preceding the date when the
 8.17 affidavit of candidacy is filed.

8.18 (b) A candidate for special district, county, Metropolitan Council, state, or federal
 8.19 office who will be absent from the state during the entire filing period or who must leave
 8.20 the state for the remainder of the filing period and who certifies to the secretary of state that
 8.21 the circumstances constitute an emergency and were unforeseen, may submit a properly
 8.22 executed affidavit of candidacy by facsimile device or by transmitting electronically
 8.23 a scanned image of the affidavit to the secretary of state during the filing period. The
 8.24 candidate shall state in writing the specific reason for being unable to submit the affidavit
 8.25 by mail or by hand during the filing period or in person prior to the start of the filing
 8.26 period. The affidavit of candidacy, filing fee, if any, and any necessary petitions must be
 8.27 received by the secretary of state by 5:00 p.m. on the last day for filing. If the candidate is
 8.28 filing for a special district or county office, the secretary of state shall forward the affidavit
 8.29 of candidacy, filing fee, if any, and any necessary petitions to the appropriate filing officer.

8.30 Sec. 13. Minnesota Statutes 2014, section 204B.11, is amended to read:

8.31 **204B.11 CANDIDATES; FILING FEES; PETITION IN PLACE OF FILING**
 8.32 **FEE.**

8.33 Subdivision 1. **Amount; dishonored checks; consequences.** Except as provided
 8.34 by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of

9.1 candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing
9.2 fee shall vary with the office sought as follows:

9.3 (a) for the office of governor, lieutenant governor, attorney general, state auditor,
9.4 secretary of state, representative in Congress, judge of the Supreme Court, judge of the
9.5 Court of Appeals, or judge of the district court, \$300;

9.6 (b) for the office of senator in Congress, \$400;

9.7 (c) for office of senator or representative in the legislature or Metropolitan Council,
9.8 \$100;

9.9 (d) for a county office, \$50; and

9.10 (e) for the office of soil and water conservation district supervisor, \$20.

9.11 For the office of presidential elector, and for those offices for which no compensation
9.12 is provided, no filing fee is required.

9.13 The filing fees received by the county auditor shall immediately be paid to the
9.14 county treasurer. The filing fees received by the secretary of state shall immediately be
9.15 paid to the commissioner of management and budget.

9.16 When an affidavit of candidacy has been filed with the appropriate filing officer and
9.17 the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's
9.18 filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient
9.19 funds are not available or that is dishonored, notice to the candidate of the worthless
9.20 instrument must be sent by the filing officer via registered mail no later than immediately
9.21 upon the closing of the filing deadline with return receipt requested. The candidate will
9.22 have five days from the time the filing officer receives proof of receipt to issue a check
9.23 or other instrument for which sufficient funds are available. The candidate issuing the
9.24 worthless instrument is liable for a service charge pursuant to section 604.113. If adequate
9.25 payment is not made, the name of the candidate must not appear on any official ballot and
9.26 the candidate is liable for all costs incurred by election officials in removing the name
9.27 from the ballot.

9.28 **Subd. 2. Petition in place of filing fee.** At the time of filing an affidavit of
9.29 candidacy, a candidate may present a petition in place of the filing fee. The petition may
9.30 be signed by any individual eligible to vote for the candidate. A nominating petition
9.31 filed pursuant to section 204B.07 is effective as a petition in place of a filing fee if the
9.32 nominating petition includes a prominent statement informing the signers of the petition
9.33 that it will be used for that purpose.

9.34 The number of signatures on a petition in place of a filing fee shall be as follows:

9.35 (a) for a state office voted on statewide, or for president of the United States, or
9.36 United States senator, 2,000;

10.1 (b) for a congressional office, 1,000;

10.2 (c) for a Metropolitan Council, county or legislative office, or for the office of
10.3 district judge, 500; and

10.4 (d) for any other office which requires a filing fee as prescribed by law, municipal
10.5 charter, or ordinance, the lesser of 500 signatures or five percent of the total number of
10.6 votes cast in the municipality, ward, or other election district at the preceding general
10.7 election at which that office was on the ballot.

10.8 An official with whom petitions are filed shall make sample forms for petitions in
10.9 place of filing fees available upon request.

10.10 Sec. 14. Minnesota Statutes 2014, section 204B.135, subdivision 2, is amended to read:

10.11 Subd. 2. **Other election districts.** For purposes of this subdivision, "local
10.12 government election district" means a county district, park and recreation district, school
10.13 district, ~~or~~ soil and water conservation district, or Metropolitan Council district. Local
10.14 government election districts, other than city wards covered by subdivision 1, may not be
10.15 redistricted until precinct boundaries are reestablished under section 204B.14, subdivision
10.16 3, paragraph (c). Election districts covered by this subdivision must be redistricted within
10.17 80 days of the time when the legislature has been redistricted or at least 15 weeks before
10.18 the state primary election in the year ending in two, whichever comes first.

10.19 Sec. 15. Minnesota Statutes 2014, section 204B.32, subdivision 2, is amended to read:

10.20 Subd. 2. **Allocation of election expenses.** The secretary of state shall develop
10.21 procedures for the allocation of election expenses among counties, municipalities, ~~and~~
10.22 school districts, and the Metropolitan Council for elections that are held concurrently.
10.23 The following expenses must be included in the procedures: salaries of election judges;
10.24 postage for absentee ballots and applications; preparation of polling places; preparation
10.25 and testing of electronic voting systems; ballot preparation; publication of election notices
10.26 and sample ballots; transportation of ballots and election supplies; and compensation for
10.27 administrative expenses of the county auditor, municipal clerk, or school district clerk.

10.28 Sec. 16. Minnesota Statutes 2014, section 204D.02, subdivision 1, is amended to read:

10.29 Subdivision 1. **Officers.** All elective state, Metropolitan Council, and county
10.30 officers, justices of the Supreme Court, judges of the Court of Appeals and district court,
10.31 state senators and state representatives, and senators and representatives in Congress shall
10.32 be elected at the state general election held in the year before their terms of office expire.

11.1 Presidential electors shall be chosen at the state general election held in the year before the
 11.2 expiration of a term of a president of the United States.

11.3 Sec. 17. Minnesota Statutes 2014, section 204D.08, subdivision 6, is amended to read:

11.4 Subd. 6. **State and county nonpartisan primary ballot.** The state and county
 11.5 nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary
 11.6 Ballot." It shall be printed in the manner provided in the rules of the secretary of state.
 11.7 The names of candidates for nomination to the Supreme Court, Court of Appeals, district
 11.8 court, and all Metropolitan Council and county offices shall be placed on this ballot.

11.9 No candidate whose name is placed on the state and county nonpartisan primary
 11.10 ballot shall be designated or identified as the candidate of any political party or in any
 11.11 other manner except as expressly provided by law.

11.12 Sec. 18. **[204D.265] VACANCY IN OFFICE OF METROPOLITAN COUNCIL**
 11.13 **MEMBER.**

11.14 Subdivision 1. **Special election.** (a) Except as otherwise provided in subdivision
 11.15 3, a vacancy in an office shall be filled by appointment by the Metropolitan Council
 11.16 until an election is held as provided in this subdivision. The appointee must reside in
 11.17 the district represented by the seat to be filled. In case of a tie vote in the Metropolitan
 11.18 Council, the chair shall make the appointment. If the vacancy occurs before the first
 11.19 day to file affidavits of candidacy for the next regular election and more than two years
 11.20 remain in the unexpired term, a special election shall be held at the next regular election
 11.21 and the appointed person shall serve until a successor is elected at a special election to fill
 11.22 the unexpired portion of the term. If the vacancy occurs on or after the first day to file
 11.23 affidavits of candidacy for the regular election or when less than two years remain in the
 11.24 unexpired term, there need not be a special election to fill the vacancy and the appointed
 11.25 person shall serve until the qualification of a successor.

11.26 (b) The person elected at the special election must take office immediately after
 11.27 receipt of the certificate of election and, upon taking the oath of office, must serve the
 11.28 remainder of the unexpired term.

11.29 (c) If the Metropolitan Council districts have been redrawn since the beginning of
 11.30 the term of the vacant office, the election must be based on the district as redrawn.

11.31 Subd. 2. **When victor seated immediately.** If a vacancy for which a special
 11.32 election is required occurs less than 60 days before the general election preceding the
 11.33 end of the term, the vacancy must be filled by the person elected at that election for the

12.1 ensuing term and that person must take office immediately after receiving the certificate
 12.2 of election and taking the oath of office.

12.3 Subd. 3. **Inability or refusal to serve.** In addition to a vacancy arising under
 12.4 section 351.02, a vacancy in the office of a Metropolitan Council member may be declared
 12.5 by the Metropolitan Council when a member is unable to serve in the office or attend
 12.6 council meetings for a 90-day period because of illness, or absence from or refusal to
 12.7 attend council meetings for a 90-day period. If any of the conditions described or referred
 12.8 to in this subdivision occur, the council may, after the council by resolution has declared a
 12.9 vacancy to exist, appoint someone to fill the vacancy at a regular or special meeting for
 12.10 the remainder of the unexpired term or until the ill or absent member is again able to
 12.11 resume duties and attend council meetings, whichever is earlier. If the council determines
 12.12 that the original member is again able to resume duties and attend council meetings, the
 12.13 council must say so in a resolution and remove the appointed officeholder and restore the
 12.14 original member to office.

12.15 Sec. 19. Minnesota Statutes 2014, section 204D.27, is amended by adding a
 12.16 subdivision to read:

12.17 Subd. 13. **Special Metropolitan Council election.** (a) Except as provided in
 12.18 subdivision 4, the State Canvassing Board shall complete its canvass of a special election
 12.19 for a Metropolitan Council member and declare the results within four days after the
 12.20 returns of the county canvassing boards are certified to the secretary of state, excluding
 12.21 Sundays and legal holidays.

12.22 (b) In case of a contest of a special election for a Metropolitan Council member, the
 12.23 notice of contest must be filed within two days after the canvass is completed, excluding
 12.24 Sundays and legal holidays. In other respects, the contest must proceed in the manner
 12.25 provided by law for contesting elections.

12.26 (c) A certificate of election in a special election for a Metropolitan Council member
 12.27 must be issued by the county auditor or the secretary of state to the individual declared
 12.28 elected by the county or State Canvassing Board two days after the appropriate canvassing
 12.29 board finishes canvassing the returns for the election, excluding Sundays and legal
 12.30 holidays. In case of a contest, the certificate must not be issued until the district court
 12.31 decides the contest.

12.32 Sec. 20. Minnesota Statutes 2014, section 209.02, subdivision 1, is amended to read:

12.33 Subdivision 1. **General.** Any eligible voter, including a candidate, may contest in
 12.34 the manner provided in this chapter: (1) the nomination or election of any person for

13.1 whom the voter had the right to vote if that person is declared nominated or elected to the
13.2 senate or the house of representatives of the United States, or to a statewide, Metropolitan
13.3 Council, county, legislative, municipal, school, or district court office; or (2) the declared
13.4 result of a constitutional amendment or other question voted upon at an election. The
13.5 contest may be brought over an irregularity in the conduct of an election or canvass of
13.6 votes, over the question of who received the largest number of votes legally cast, over
13.7 the number of votes legally cast in favor of or against a question, or on the grounds of
13.8 deliberate, serious, and material violations of the Minnesota Election Law.

13.9 Sec. 21. Minnesota Statutes 2014, section 211A.01, subdivision 3, is amended to read:

13.10 Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination
13.11 or election to a county, municipal, school district, or other political subdivision
13.12 office. This definition does not include an individual seeking a judicial office or a
13.13 seat on the Metropolitan Council. For purposes of sections 211A.01 to 211A.05 and
13.14 211A.07, "candidate" also includes a candidate for the United States Senate or House
13.15 of Representatives.

13.16 Sec. 22. Minnesota Statutes 2014, section 211B.01, subdivision 3, is amended to read:

13.17 Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or
13.18 election to a federal, statewide, Metropolitan Council, legislative, judicial, or local office
13.19 including special districts, school districts, towns, home rule charter and statutory cities,
13.20 and counties, except candidates for president and vice-president of the United States.

13.21 Sec. 23. Minnesota Statutes 2014, section 290.06, subdivision 23, is amended to read:

13.22 Subd. 23. **Refund of contributions to political parties and candidates.** (a) A
13.23 taxpayer may claim a refund equal to the amount of the taxpayer's contributions made
13.24 in the calendar year to candidates and to a political party. The maximum refund for
13.25 an individual must not exceed \$50 and for a married couple, filing jointly, must not
13.26 exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form
13.27 required by the commissioner and attaches to the form a copy of an official refund receipt
13.28 form issued by the candidate or party and signed by the candidate, the treasurer of the
13.29 candidate's principal campaign committee, or the chair or treasurer of the party unit, after
13.30 the contribution was received. The receipt forms must be numbered, and the data on the
13.31 receipt that are not public must be made available to the campaign finance and public
13.32 disclosure board upon its request. A claim must be filed with the commissioner no sooner
13.33 than January 1 of the calendar year in which the contribution was made and no later

14.1 than April 15 of the calendar year following the calendar year in which the contribution
14.2 was made. A taxpayer may file only one claim per calendar year. Amounts paid by the
14.3 commissioner after June 15 of the calendar year following the calendar year in which the
14.4 contribution was made must include interest at the rate specified in section 270C.405.

14.5 (b) No refund is allowed under this subdivision for a contribution to a candidate
14.6 unless the candidate:

14.7 (1) has signed an agreement to limit campaign expenditures as provided in section
14.8 10A.322;

14.9 (2) is seeking an office for which voluntary spending limits are specified in section
14.10 10A.25; and

14.11 (3) has designated a principal campaign committee.

14.12 This subdivision does not limit the campaign expenditures of a candidate who does
14.13 not sign an agreement but accepts a contribution for which the contributor improperly
14.14 claims a refund.

14.15 (c) For purposes of this subdivision, "political party" means a major political party as
14.16 defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion
14.17 on the income tax or property tax refund form under section 10A.31, subdivision 3a.

14.18 A "major party" or "minor party" includes the aggregate of that party's organization
14.19 within each house of the legislature, the state party organization, and the party organization
14.20 within congressional districts, counties, legislative districts, municipalities, and precincts.

14.21 "Candidate" means a candidate as defined in section 10A.01, subdivision 10, except
14.22 a candidate for judicial office or the Metropolitan Council.

14.23 "Contribution" means a gift of money.

14.24 (d) The commissioner shall make copies of the form available to the public and
14.25 candidates upon request.

14.26 (e) The following data collected or maintained by the commissioner under this
14.27 subdivision are private: the identities of individuals claiming a refund, the identities
14.28 of candidates to whom those individuals have made contributions, and the amount of
14.29 each contribution.

14.30 (f) The commissioner shall report to the campaign finance and public disclosure
14.31 board by each August 1 a summary showing the total number and aggregate amount of
14.32 political contribution refunds made on behalf of each candidate and each political party.
14.33 These data are public.

14.34 (g) The amount necessary to pay claims for the refund provided in this section is
14.35 appropriated from the general fund to the commissioner of revenue.

15.1 (h) For a taxpayer who files a claim for refund via the Internet or other electronic
 15.2 means, the commissioner may accept the number on the official receipt as documentation
 15.3 that a contribution was made rather than the actual receipt as required by paragraph (a).

15.4 Sec. 24. Minnesota Statutes 2014, section 297A.992, subdivision 1, is amended to read:

15.5 Subdivision 1. **Definitions.** For purposes of this section, the following terms have
 15.6 the meanings given them:

15.7 (1) "metropolitan transportation area" means the counties participating in the joint
 15.8 powers agreement under subdivision 3;

15.9 (2) "eligible county" means the county of Anoka, Carver, Dakota, Hennepin,
 15.10 Ramsey, Scott, or Washington; and

15.11 (3) ~~"committee" means the Grant Evaluation and Ranking System (GEARS)~~
 15.12 ~~Committee~~ "council" means the Metropolitan Council;

15.13 (4) "minimum guarantee county" means any metropolitan county or eligible county
 15.14 that is participating in the joint powers agreement under subdivision 3, whose proportion
 15.15 of the annual sales tax revenue under this section collected within that county is less
 15.16 than or equal to three percent; ~~and.~~

15.17 (5) ~~"population" means the population, as defined in section 477A.011, subdivision~~
 15.18 ~~3, estimated or established by July 15 of the year prior to the calendar year in which~~
 15.19 ~~the representatives will serve on the Grant Evaluation and Ranking System Committee~~
 15.20 ~~established under subdivision 5.~~

15.21 Sec. 25. Minnesota Statutes 2014, section 297A.992, subdivision 4, is amended to read:

15.22 Subd. 4. **Joint powers board.** (a) The joint powers board must consist of one
 15.23 or more commissioners of each county that is in the metropolitan transportation area,
 15.24 appointed by its county board, and the chair of the Metropolitan Council, who must have
 15.25 voting rights, subject to subdivision 3, clause (4). The joint powers board has the powers
 15.26 and duties provided in this section and section 471.59.

15.27 (b) The joint powers board may utilize no more than three-fourths of one percent of
 15.28 the proceeds of the taxes imposed under this section for ordinary administrative expenses
 15.29 incurred in carrying out the provisions of this section. Any additional administrative
 15.30 expenses must be paid by the participating counties.

15.31 (c) The joint powers board may establish a technical advisory group ~~that is separate~~
 15.32 ~~from the GEARS Committee.~~ The group must consist of representatives of cities, counties,
 15.33 or public agencies, including the Metropolitan Council. The technical advisory group
 15.34 must be used solely for technical consultation purposes.

16.1 Sec. 26. Minnesota Statutes 2014, section 297A.992, subdivision 5, is amended to read:

16.2 Subd. 5. **Grant application and awards; Grant Evaluation and Ranking System**

16.3 **(GEARS) Committee.** (a) The joint powers board shall establish a grant application
 16.4 process and identify the amount of available funding for grant awards. Grant applications
 16.5 must be submitted in a form prescribed by the joint powers board. An applicant must
 16.6 provide, in addition to all other information required by the joint powers board, the
 16.7 estimated cost of the project, the amount of the grant sought, possible sources of funding
 16.8 in addition to the grant sought, and identification of any federal funds that will be utilized
 16.9 if the grant is awarded. A grant application seeking transit capital funding must identify
 16.10 the source of money necessary to operate the transit improvement.

16.11 (b) The joint powers board shall establish a timeline and procedures for the award of
 16.12 grants, and may award grants only to the state and political subdivisions. The board shall
 16.13 define objective criteria for the award of grants, which must include, but not be limited to,
 16.14 consistency with the most recent version of the transportation policy plan adopted by the
 16.15 Metropolitan Council under section 473.146. The joint powers board shall maximize the
 16.16 availability and use of federal funds in projects funded under this section.

16.17 ~~(c) The joint powers board shall establish a GEARS Committee, which must consist~~
 16.18 ~~of:~~

16.19 ~~(1) one county commissioner from each county that is in the metropolitan~~
 16.20 ~~transportation area, appointed by its county board;~~

16.21 ~~(2) one elected city representative from each county that is in the metropolitan~~
 16.22 ~~transportation area;~~

16.23 ~~(3) one additional elected city representative from each county for every additional~~
 16.24 ~~400,000 in population, or fraction of 400,000, in the county that is above 400,000 in~~
 16.25 ~~population; and~~

16.26 ~~(4) the chair of the Metropolitan Council Transportation Committee.~~

16.27 ~~(d) Each city representative must be elected at a meeting of cities in the metropolitan~~
 16.28 ~~transportation area, which must be convened for that purpose by the Association of~~
 16.29 ~~Metropolitan Municipalities.~~

16.30 (e) The ~~committee~~ council shall evaluate grant applications following objective
 16.31 criteria established by the joint powers board, and must provide to the joint powers board
 16.32 a selection list of transportation projects that includes a priority ranking.

16.33 ~~(f)~~ (d) A grant award for a transit project located within the metropolitan area, as
 16.34 defined in section 473.121, subdivision 2, may be funded only after the Metropolitan
 16.35 Council council reviews the project for consistency with the transit portion of the
 16.36 Metropolitan Council council policy plan and one of the following occurs:

17.1 (1) the ~~Metropolitan Council~~ council finds the project to be consistent;

17.2 (2) the ~~Metropolitan Council~~ council initially finds the project to be inconsistent, but
 17.3 after a good faith effort to resolve the inconsistency through negotiations with the joint
 17.4 powers board, agrees that the grant award may be funded; or

17.5 (3) the ~~Metropolitan Council~~ council finds the project to be inconsistent, and submits
 17.6 the consistency issue for final determination to a panel, which determines the project to be
 17.7 consistent. The panel is composed of a member appointed by the chair of the ~~Metropolitan~~
 17.8 ~~Council~~ council, a member appointed by the joint powers board, and a member agreed
 17.9 upon by both the chair and the joint powers board.

17.10 ~~(g)~~ (e) Grants must be funded by the proceeds of the taxes imposed under this section,
 17.11 bonds, notes, or other obligations issued by the joint powers board under subdivision 7.

17.12 ~~(h)~~ (f) Notwithstanding the provisions of this section except subdivision 6a, of
 17.13 the revenue collected under this section, the joint powers board shall allocate to the
 17.14 ~~Metropolitan Council~~ council, in fiscal years 2012 and 2013, an amount not less than 75
 17.15 percent of the net cost of operations for those transitways that were receiving metropolitan
 17.16 sales tax funds through an operating grant agreement on June 30, 2011.

17.17 ~~(i)~~ (g) The ~~Metropolitan Council~~ council shall expend any funds allocated under
 17.18 paragraph ~~(h)~~ (f) for the operations of the specified transitways solely within those
 17.19 counties that are in the metropolitan transportation area.

17.20 ~~(j)~~ (h) Nothing in paragraph ~~(h)~~ (f) or ~~(i)~~ (g) prevents grant awards to the
 17.21 ~~Metropolitan Council~~ council for capital and operating assistance for transitways and
 17.22 park-and-ride facilities.

17.23 Sec. 27. Minnesota Statutes 2014, section 353D.01, subdivision 2, is amended to read:

17.24 Subd. 2. **Eligibility.** (a) Eligibility to participate in the defined contribution plan
 17.25 is available to:

17.26 (1) elected local government officials of a governmental subdivision who elect to
 17.27 participate in the plan under section 353D.02, subdivision 1, and who, for the elected
 17.28 service rendered to a governmental subdivision, are not members of the Public Employees
 17.29 Retirement Association within the meaning of section 353.01, subdivision 7;

17.30 (2) physicians who, if they did not elect to participate in the plan under section
 17.31 353D.02, subdivision 2, would meet the definition of member under section 353.01,
 17.32 subdivision 7;

17.33 (3) basic and advanced life-support emergency medical service personnel who
 17.34 are employed by any public ambulance service that elects to participate under section
 17.35 353D.02, subdivision 3;

18.1 (4) members of a municipal rescue squad associated with the city of Litchfield
18.2 in Meeker County, or of a county rescue squad associated with Kandiyohi County, if
18.3 an independent nonprofit rescue squad corporation, incorporated under chapter 317A,
18.4 performing emergency management services, and if not affiliated with a fire department
18.5 or ambulance service and if its members are not eligible for membership in that fire
18.6 department's or ambulance service's relief association or comparable pension plan;

18.7 (5) employees of the Port Authority of the city of St. Paul who elect to participate in
18.8 the plan under section 353D.02, subdivision 5, and who are not members of the Public
18.9 Employees Retirement Association under section 353.01, subdivision 7;

18.10 (6) city managers who elected to be excluded from the general employees retirement
18.11 plan of the Public Employees Retirement Association under section 353.028 and who
18.12 elected to participate in the public employees defined contribution plan under section
18.13 353.028, subdivision 3, paragraph (b);

18.14 (7) volunteer or emergency on-call firefighters serving in a municipal fire department
18.15 or an independent nonprofit firefighting corporation who are not covered by the public
18.16 employees police and fire retirement plan and who are not covered by a volunteer
18.17 firefighters relief association and who elect to participate in the public employees defined
18.18 contribution plan;

18.19 (8) elected county sheriffs who are former members of the police and fire plan and
18.20 who are receiving a retirement annuity as provided under section 353.651; and

18.21 (9) persons who are excluded from membership under section 353.01, subdivision
18.22 2b, paragraph (a), clause (23).

18.23 (b) For purposes of this chapter, an elected local government official includes a
18.24 person appointed to fill a vacancy in an elective office and a member of the Metropolitan
18.25 Council. Service as an elected local government official only includes service for the
18.26 governmental subdivision for which the official was elected by the public at large. Service
18.27 as an elected local government official ceases and eligibility to participate terminates
18.28 when the person ceases to be an elected official. An elected local government official does
18.29 not include an elected county sheriff who must be a member of the police and fire plan
18.30 as provided under chapter 353.

18.31 (c) Individuals otherwise eligible to participate in the plan under this subdivision
18.32 who are currently covered by a public or private pension plan because of their employment
18.33 or provision of services are not eligible to participate in the public employees defined
18.34 contribution plan.

18.35 (d) A former participant is a person who has terminated eligible employment or
18.36 service and has not withdrawn the value of the person's individual account.

19.1 Sec. 28. Minnesota Statutes 2014, section 473.123, subdivision 1, is amended to read:

19.2 Subdivision 1. **Creation.** A Metropolitan Council with jurisdiction in the
19.3 metropolitan area is established as a public corporation and political subdivision of the
19.4 state. It shall be under the supervision and control of ~~17~~ members, ~~all of whom shall be~~
19.5 ~~residents of the metropolitan area~~ elected from districts as provided in section 473.124.

19.6 Sec. 29. Minnesota Statutes 2014, section 473.123, subdivision 4, is amended to read:

19.7 Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a)
19.8 Until the completion of redistricting following the 2020 federal census as required by
19.9 section 473.124, subdivision 2, the chair of the Metropolitan Council shall be appointed
19.10 by the governor as the 17th voting member thereof by and with the advice and consent of
19.11 the senate to serve at the pleasure of the governor to represent the metropolitan area at
19.12 large. Senate confirmation shall be as provided by section 15.066. After the completion of
19.13 redistricting following the 2020 federal census as required by section 473.124, subdivision
19.14 2, the chair shall be elected from the membership of the council by the members of the
19.15 council for a four-year term.

19.16 The chair of the Metropolitan Council shall, if present, preside at meetings of the
19.17 council, have the primary responsibility for meeting with local elected officials, serve as
19.18 the principal legislative liaison, present to the governor and the legislature, after council
19.19 approval, the council's plans for regional governance and operations, serve as the principal
19.20 spokesperson of the council, and perform other duties assigned by the council or by law.

19.21 (b) The Metropolitan Council shall elect other officers as it deems necessary for
19.22 the conduct of its affairs for a one-year term. A secretary and treasurer need not be
19.23 members of the Metropolitan Council. Meeting times and places shall be fixed by the
19.24 Metropolitan Council and special meetings may be called by a majority of the members
19.25 of the Metropolitan Council or by the chair. The chair and each Metropolitan Council
19.26 member shall be reimbursed for actual and necessary expenses.

19.27 (c) Each member of the council shall attend and participate in council meetings
19.28 and meet regularly with local elected officials and legislative members from the council
19.29 member's district. Each council member shall serve on at least one division committee for
19.30 transportation, environment, or community development.

19.31 (d) In the performance of its duties the Metropolitan Council may adopt policies
19.32 and procedures governing its operation, establish committees, and, when specifically
19.33 authorized by law, make appointments to other governmental agencies and districts.

20.1 Sec. 30. Minnesota Statutes 2014, section 473.123, is amended by adding a subdivision
20.2 to read:

20.3 Subd. 4a. **Compensation.** Each Metropolitan Council member must be paid
20.4 as authorized by the Metropolitan Council. The chair and each Metropolitan Council
20.5 member must be reimbursed for actual and necessary expenses.

20.6 Sec. 31. Minnesota Statutes 2014, section 473.123, is amended by adding a subdivision
20.7 to read:

20.8 Subd. 9. **Ex officio members.** For purposes of transportation planning, as described
20.9 in section 473.146, subdivision 4, the following individuals shall be ex officio, nonvoting
20.10 members of the council:

20.11 (1) the commissioner of transportation or the commissioner's designee;

20.12 (2) the commissioner of the Pollution Control Agency or the commissioner's
20.13 designee; and

20.14 (3) one member of the Metropolitan Airports Commission appointed by the
20.15 commission.

20.16 Sec. 32. [473.124] METROPOLITAN COUNCIL ELECTIONS.

20.17 Subdivision 1. **Number of members.** The Metropolitan Council consists of 17
20.18 members. Until the completion of redistricting following the 2020 federal census, there
20.19 shall be 16 elected members and a chair appointed as provided in section 473.123,
20.20 subdivision 4. After the completion of redistricting following the 2020 federal census,
20.21 there shall be 17 elected members.

20.22 Subd. 2. **Districts.** (a) After the federal decennial census in 2020, and after each
20.23 federal decennial census thereafter, the Metropolitan Council must divide the metropolitan
20.24 area into as many districts as there are members. Each district is entitled to elect one
20.25 member. The districts must be bounded by town, municipal, ward, or precinct lines.
20.26 The districts must be composed of compact, convenient, and contiguous territory and
20.27 must be substantially equal in population. The population of the largest district must not
20.28 exceed the population of the smallest district by more than ten percent, unless the result
20.29 would force a voting precinct to be split. A Metropolitan Council district must not include
20.30 territory in more than one county unless necessary to meet equal-population requirements.
20.31 The districts must be numbered in a regular series.

20.32 (b) The districts must be redrawn within the time provided in section 204B.135,
20.33 subdivision 2. Before acting to redistrict, the council must publish in newspapers of
20.34 general circulation three weeks' notice of its purpose, stating the time and place of the

21.1 meeting where the matter will be considered. The council must file a map of the new
21.2 districts with the secretary of state.

21.3 Subd. 3. **Terms.** Members serve a term of four years, except a member appointed to
21.4 fill a vacancy. There must be a new election of all members at the first election after each
21.5 decennial redistricting and the members elected at that election from districts with odd
21.6 numbers serve for an initial term of two years.

21.7 Sec. 33. Minnesota Statutes 2014, section 473.146, subdivision 4, is amended to read:

21.8 Subd. 4. **Transportation planning.** (a) The Metropolitan Council is the designated
21.9 planning agency for any long-range comprehensive transportation planning required by
21.10 section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation
21.11 Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and other federal
21.12 transportation laws. The council shall assure administration and coordination of
21.13 transportation planning with appropriate state, regional and other agencies, counties,
21.14 and municipalities.

21.15 (b) The council shall establish an advisory body consisting of citizens and
21.16 representatives of municipalities, counties, and state agencies in fulfillment of the planning
21.17 responsibilities of the council. The membership of the advisory body must consist of:

21.18 (1) the commissioner of transportation or the commissioner's designee;

21.19 (2) the commissioner of the Pollution Control Agency or the commissioner's
21.20 designee;

21.21 (3) one member of the Metropolitan Airports Commission appointed by the
21.22 commission;

21.23 (4) one person appointed by the council to represent nonmotorized transportation;

21.24 (5) one person appointed by the commissioner of transportation to represent the
21.25 freight transportation industry;

21.26 (6) two persons appointed by the council to represent public transit;

21.27 (7) ten elected officials of cities within the metropolitan area, including one
21.28 representative from each first-class city, appointed by the Association of Metropolitan
21.29 Municipalities;

21.30 (8) one member of the county board of each county in the seven-county metropolitan
21.31 area, appointed by the respective county boards;

21.32 (9) eight citizens appointed by the council, one from each council precinct; and

21.33 (10) one member of the council, appointed by the council.

21.34 The council shall appoint a chair from among the members of the advisory body.

22.1 (c) The advisory body described in paragraph (b) shall be dissolved and the council
22.2 shall fulfill all planning responsibilities upon agreement between the governor and local
22.3 governments that together represent at least 75 percent of the metropolitan area, including
22.4 the most populous home rule charter or statutory city.

22.5 Sec. 34. **INITIAL SALARY.**

22.6 Notwithstanding section 30, the salary of members elected to the Metropolitan
22.7 Council at the general election in 2016 must not exceed \$40,000.

22.8 Sec. 35. **TRANSITION.**

22.9 The terms of the appointed chair and appointed Metropolitan Council members
22.10 holding office on the effective date of this section, and any successors appointed to serve
22.11 as the council chair or as a member, continue until the first Monday in January 2017.

22.12 Sec. 36. **REPEALER.**

22.13 (a) Minnesota Statutes 2014, section 473.123, subdivisions 2a, 3, and 3a, are repealed.

22.14 (b) Laws 1994, chapter 628, article 1, section 8, is repealed.

22.15 Sec. 37. **EFFECTIVE DATE.**

22.16 Sections 1 to 36 are effective for the state primary in 2016 and thereafter and apply
22.17 in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

473.123 METROPOLITAN COUNCIL.

Subd. 2a. **Terms.** Following each apportionment of council districts, as provided under subdivision 3a, council members must be appointed from newly drawn districts as provided in subdivision 3a. Each council member, other than the chair, must reside in the council district represented. Each council district must be represented by one member of the council. The terms of members end with the term of the governor, except that all terms expire on the effective date of the next apportionment. A member serves at the pleasure of the governor. A member shall continue to serve the member's district until a successor is appointed and qualified; except that, following each apportionment, the member shall continue to serve at large until the governor appoints 16 council members, one from each of the newly drawn council districts as provided under subdivision 3a, to serve terms as provided under this section. The appointment to the council must be made by the first Monday in March of the year in which the term ends.

Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council.

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

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

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

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

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

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

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

Subd. 3a. **Redistricting.** The legislature shall redraw the boundaries of the council districts after each decennial federal census so that each district has substantially equal population. Redistricting is effective in the year ending in the numeral "3." Within 60 days after a redistricting plan takes effect, the governor shall appoint members from the newly drawn districts to serve terms as provided under subdivision 2a.

APPENDIX
Repealed Minnesota Session Laws: 15-2725

Laws 1994, chapter 628, article 1, section 8

Sec. 8. SALARIES OF MEMBERS.

Until changed in law after recommendation by the compensation council as provided in Minnesota Statutes, section 15A.082, the chair of the metropolitan council shall receive a salary of \$52,500 per year, and the other members shall receive a salary of \$20,000 per year.