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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **2443**

03/13/2019 Authored by Hassan, Moran, Gomez, Noor, Richardson and others
The bill was read for the first time and referred to the Committee on Government Operations

- 1.1 A bill for an act
- 1.2 relating to state government; modifying the ethnic councils' enabling statute;
- 1.3 amending Minnesota Statutes 2018, section 15.0145, subdivisions 3, 5.
- 1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5 Section 1. Minnesota Statutes 2018, section 15.0145, subdivision 3, is amended to read:
- 1.6 Subd. 3. **Appointments; terms; removal.** (a) In making appointments to a council, the
- 1.7 governor shall consider an appointee's proven dedication and commitment to the council's
- 1.8 ~~community~~ constituency and any expertise possessed by the appointee that might be
- 1.9 beneficial to the council, such as experience in public policy, legal affairs, social work,
- 1.10 business, or management. The executive director of a council and legislative members may
- 1.11 offer advice to the governor on applicants seeking appointment.
- 1.12 (b) Terms, compensation, and filling of vacancies for members appointed by the governor
- 1.13 are as provided in section 15.059. Removal of members appointed by the governor is
- 1.14 governed by section 15.059, except that: (1) a member who missed more than half of the
- 1.15 council meetings convened during a 12-month period automatically is removed from the
- 1.16 council; and (2) a member appointed by the governor may be removed by a vote of three
- 1.17 of the four legislative members of the council. The chair of a council shall inform the
- 1.18 governor of the need for the governor to fill a vacancy on the council. Legislative members
- 1.19 serve at the pleasure of their appointing authority.
- 1.20 (c) A member appointed by the governor may serve no more than a total of eight years
- 1.21 on a council. A legislator may serve from one legislative body no more than eight consecutive
- 1.22 years or, from either or both legislative bodies, 12 nonconsecutive years on any one council.

2.1 Sec. 2. Minnesota Statutes 2018, section 15.0145, subdivision 5, is amended to read:

2.2 Subd. 5. **Executive director; staff.** (a) The Legislative Coordinating Commission must
2.3 appoint an executive director for each council to work to fulfill the council's duties. The
2.4 executive director must be experienced in administrative activities and familiar with the
2.5 challenges and needs of the ethnic council's larger community. The executive director serves
2.6 in the unclassified service at the pleasure of the Legislative Coordinating Commission.

2.7 (b) The Legislative Coordinating Commission must establish a process for recruiting
2.8 and selecting applicants for the executive director positions. This process must include
2.9 consultation and collaboration with the applicable council.

2.10 (c) The executive director ~~and applicable~~ receives advice from their council members
2.11 ~~must work together~~ in fulfilling council duties. The executive director must consult with
2.12 the commissioner of administration to ensure appropriate financial, purchasing, human
2.13 resources, and other services for operation of the council.

2.14 (d) Once appointed, each ~~council~~ director is responsible for ~~supervising the work of its~~
2.15 ~~director~~ representing the council and its constituency. The council chair must report to the
2.16 chair of the Legislative Coordinating Commission about their perspective regarding the
2.17 performance of the executive director, ~~including any recommendations regarding disciplinary~~
2.18 ~~actions~~. The executive director must appoint and supervise the work of other staff necessary
2.19 to carry out the duties of the council. ~~The executive director must consult with the council~~
2.20 ~~chair prior to taking the following disciplinary actions with council staff: written reprimand,~~
2.21 ~~suspension, demotion, or discharge~~. The executive director and other council staff are
2.22 executive branch employees.

2.23 (e) The executive director must submit the council's biennial budget request to the
2.24 commissioner of management and budget as provided under chapter 16A.

2.25 (f) The Legislative Coordinating Commission may delegate its responsibilities under
2.26 this section to a subcommittee or subgroup of the commission or the chair of the council.