

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4408

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DATE	D-PG	OFFICIAL STATUS
03/16/2020	5518	Introduction and first reading Referred to State Government Finance and Policy and Elections

- 1.1 A bill for an act
- 1.2 relating to state government; modifying enabling statute for ethnic councils;
- 1.3 amending Minnesota Statutes 2018, section 15.0145, subdivisions 3, 5, 6.
- 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 no more than eight consecutive years or 12
- 1.22 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 who will be accountable for fulfilling the
2.4 council's duties. The executive director must be experienced in administrative activities and
2.5 familiar with the challenges and needs of the ethnic council's larger community. The
2.6 executive director is a nonpartisan position and serves in the unclassified service at the
2.7 pleasure of the Legislative Coordinating Commission.

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

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

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

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

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

2.30 Sec. 3. Minnesota Statutes 2018, section 15.0145, subdivision 6, is amended to read:

2.31 Subd. 6. **Duties of council.** (a) A council must work for the implementation of economic,
2.32 social, legal, and political equality for its constituency. The council shall work with the
2.33 legislature and governor to carry out this work by performing the duties in this section.

3.1 (b) A council shall advise the governor and the legislature on issues confronting the
3.2 constituency of the council. This may include, but is not limited to, presenting the results
3.3 of surveys, studies, and community forums to the appropriate executive departments and
3.4 legislative committees.

3.5 (c) A council shall advise the governor and the legislature of administrative and legislative
3.6 changes needed to improve the economic and social condition of the constituency of the
3.7 council. This may include but is not limited to working with legislators to develop legislation
3.8 to address these issues and to work for passage of the legislation. This may also include
3.9 making recommendations regarding the state's affirmative action program and the state's
3.10 targeted group small business program, or working with state agencies and organizations
3.11 to develop business opportunities and promote economic development for the constituency
3.12 of the council.

3.13 (d) A council shall advise the governor and the legislature of the implications and effect
3.14 of proposed administrative and legislative changes on the constituency of the council. This
3.15 may include but is not limited to tracking legislation, testifying as appropriate, and meeting
3.16 with executive departments and legislators.

3.17 (e) A council shall serve as a liaison between state government and organizations that
3.18 serve the constituency of the council. This may include but is not limited to working with
3.19 these organizations to carry out the duties in paragraphs (a) to (d), and working with these
3.20 organizations to develop informational programs or publications to involve and empower
3.21 the constituency in seeking improvement in their economic and social conditions.

3.22 (f) A council shall perform or contract for the performance of studies designed to suggest
3.23 solutions to the problems of the constituency of the council in the areas of education,
3.24 employment, human rights, health, housing, social welfare, and other related areas.

3.25 (g) In carrying out duties under this subdivision, councils may act to advise on issues
3.26 that affect the shared constituencies of more than one council.

3.27 (h) In carrying out duties under this subdivision, a council may delegate to the council's
3.28 executive director the authority to represent the interests of the council and the council's
3.29 constituency to the governor and the legislature.