

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 637

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DATE
01/31/2019

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208 Introduction and first reading
Referred to Local Government

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to local government; modifying the Metropolitan Council; amending
1.3 Minnesota Statutes 2018, section 473.123, subdivisions 2a, 3.

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

1.5 Section 1. Minnesota Statutes 2018, section 473.123, subdivision 2a, is amended to read:

1.6 Subd. 2a. **Terms.** Following each apportionment of council districts, as provided under
1.7 subdivision 3a, council members must be appointed from newly drawn districts as provided
1.8 in subdivision 3a. Each council member, other than the chair, must reside in the council
1.9 district represented. Each council district must be represented by one member of the council.
1.10 ~~The terms of members end with the term of the governor, except that all terms expire on~~
1.11 ~~the effective date of the next apportionment.~~ A member serves at the pleasure of the governor.
1.12 The terms are staggered as follows: members representing an odd-numbered district have
1.13 terms ending the first Monday in January of 2023 and members representing an
1.14 even-numbered district have terms ending the first Monday in January of 2025. Thereafter,
1.15 the term of each member is four years, with terms ending the first Monday in January, except
1.16 that all terms expire on the effective date of the next apportionment. A member's position
1.17 on the Metropolitan Council becomes vacant if the member ceases to be a local elected
1.18 official or as provided in chapter 351, and any vacancy must be filled as soon as practicable
1.19 for the unexpired term in the same manner as the initial appointment. A member shall
1.20 continue to serve the member's district until a successor is appointed and qualified; except
1.21 that, following each apportionment, the member shall continue to serve at large until the
1.22 governor appoints 16 council members, one from each of the newly drawn council districts
1.23 as provided under subdivision 3a, to serve terms as provided under this section. The

2.1 appointment to the council must be made by the first Monday in March of the year in which
2.2 the term ends.

2.3 Sec. 2. Minnesota Statutes 2018, section 473.123, subdivision 3, is amended to read:

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

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

2.16 (c) The governor shall create a nominating committee, composed of 21 members: seven
2.17 metropolitan county citizens appointed by the governor, ~~to nominate persons for appointment~~
2.18 ~~to the council from districts. Three of the committee members must be local elected officials~~
2.19 county board, and 14 metropolitan city citizens appointed by the city council. Following
2.20 the submission of applications as provided under section 15.0597, subdivision 5, the
2.21 nominating committee shall conduct public meetings, after appropriate notice, to accept
2.22 statements from or on behalf of persons who have applied or been nominated for appointment
2.23 and to allow consultation with and secure the advice of the public and local elected officials.
2.24 The committee shall hold the meeting on each appointment in the district or in a reasonably
2.25 convenient and accessible location in the part of the metropolitan area in which the district
2.26 is located. The committee may consolidate meetings. Following the meetings, the committee
2.27 shall publish the list of nominees in newspapers of general circulation in the metropolitan
2.28 area and the appropriate districts, and allow for a 21-day comment period to the Metropolitan
2.29 Council. Following the comment period, the committee shall submit to the governor a list
2.30 of nominees for each appointment. The governor is not required to appoint from the list,
2.31 but must provide to the nominating committee the reason, in writing, for not appointing the
2.32 nominee or nominees from the list.

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

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

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

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

3.7 (h) Any vacancy in the office of a council member shall immediately be filled for the
3.8 unexpired term. In filling a vacancy, the governor may forgo the requirements of paragraph

3.9 (c) if the governor has made appointments in full compliance with the requirements of this
3.10 subdivision within the preceding 12 months.

3.11 Sec. 3. **EFFECTIVE DATE.**

3.12 This act is effective July 1, 2020.