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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1762

March 7, 2007

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The bill was read for the first time and referred to the Committee on Local Government and Metropolitan Affairs

1.1 A bill for an act
1.2 relating to statutory cities; providing mechanisms for discharge of city charter
1.3 commission; amending Minnesota Statutes 2006, section 410.05, subdivision 5.

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

1.5 Section 1. Minnesota Statutes 2006, section 410.05, subdivision 5, is amended to read:

1.6 Subd. 5. **Discharge.** (a) The charter commission of a statutory city may be
1.7 discharged by any of the methods provided in this paragraph. Another commission may
1.8 not be formed sooner than one year from the date of discharge.

1.9 (1) If the charter commission of a statutory city determines that a charter is not
1.10 necessary or desirable, the commission may be discharged by a vote of three-fourths of
1.11 its members. ~~Another commission may not be formed sooner than one year from the~~
1.12 ~~date of discharge.~~

1.13 (2) If less than 25 percent of those voting on the question vote in favor of adopting
1.14 the charter proposed by the commission, the charter commission is discharged.

1.15 (3) If between 25 and 50 percent of those voting on the question vote in favor of
1.16 adopting the charter proposed by the commission, the charter commission is discharged if
1.17 a petition requesting discharge of the charter commission, signed by at least ten percent of
1.18 the number of registered voters of the city, as shown by the returns of the last regular city
1.19 election, or upon resolution of the governing body of the city requesting such action, is
1.20 presented to the commission and the city clerk.

1.21 (4) If between 25 and 50 percent of those voting on the question vote in favor of
1.22 adopting the charter proposed by the commission, an election on the question of whether
1.23 to discharge the charter commission must be held if a petition requesting an election on
1.24 the question, signed by at least five percent of the number of registered voters of the

2.1 city, as shown by the returns of the last regular city election, or upon resolution of the
2.2 governing body of the city requesting such action, is presented to the commission and the
2.3 city clerk. The question of whether to discharge the charter commission must be on the
2.4 ballot at the next regular city election that is more than ... days after the commission and
2.5 the city clerk receive the petition. The question on the ballot must read: "Shall the charter
2.6 commission be discharged and cease to exist? A "yes" vote means the current charter
2.7 commission will be discharged and cease to exist and another charter commission cannot
2.8 be appointed for one year." The question must be followed by the words "Yes" and "No"
2.9 with an appropriate space by each in which to indicate the vote.

2.10 (b) If a charter is not adopted within five years of the appointment of the charter
2.11 commission, the charter commission is discharged. Another commission may not be
2.12 formed sooner than one year from the date of discharge.