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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **466**

February 2, 2009

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The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight

March 12, 2009

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to education; establishing a State Board of Education; amending
1.3 Minnesota Statutes 2008, section 120A.05, by adding a subdivision; proposing
1.4 coding for new law in Minnesota Statutes, chapter 127A.

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

1.6 Section 1. Minnesota Statutes 2008, section 120A.05, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 14a. **State Board of Education.** "State Board of Education" or "state board"
1.9 means the State Board of Education established under section 127A.03 that is charged
1.10 with general supervision over educational agencies and other education-related matters.

1.11 Sec. 2. **[127A.03] STATE BOARD OF EDUCATION.**

1.12 Subdivision 1. **State board established; appointments; meetings; conflict of**
1.13 **interest.** (a) The Department of Education shall be maintained under the direction of a
1.14 State Board of Education composed of the following members: 12 representative citizens
1.15 of the state, at least one of whom shall reside in each congressional district in the state; the
1.16 chancellor of the Minnesota State Colleges and Universities or the chancellor's designee;
1.17 and the president of the University of Minnesota or the president's designee.

1.18 (b) Of the 12 representative citizens of the state who are appointed to the State
1.19 Board of Education, no fewer than four of the members shall previously have served as an
1.20 elected member of a board of education of a school district.

1.21 (c) The governor shall appoint the representative citizen members of the state board
1.22 with the advice and consent of the senate. One member shall be chosen annually as
1.23 president, but no member shall serve as president more than three consecutive years.

(d) The State Board of Education shall hold its annual meeting in August. It shall hold meetings on dates and at places it designates. No member shall hold any public office, or represent or be employed by any board of education or school district, public or private, and shall not voluntarily have any personal financial interest in any contract with a board of education or school district, or be engaged in any capacity where a conflict of interest may arise.

Subd. 2. **Membership; compensation.** The membership terms, compensation, removal of members, and filling of vacancies on the state board shall be as provided in section 15.0575.

Subd. 3. **Residency requirement.** If a member ceases to be a resident of the congressional district from which the member was appointed, the member shall cease to be a member of the state board. The governor shall appoint a successor within six months thereafter.

EFFECTIVE DATE. This section is effective December 1, 2009.

Sec. 3. **REVISOR'S INSTRUCTION.**

In Minnesota Statutes and Minnesota Rules, all references changed from the State Board of Education to the commissioner of education and all authority transferred from the State Board of Education to the commissioner of education under Laws 1998, chapter 398, and Laws 1999, chapter 241, shall be changed back to the State Board of Education. Among other things, and as an illustration only, these changes shall affect the authority to exercise general supervision over educational agencies and adopt or amend administrative rules. In addition, and consistent with the provisions of this act, the revisor of statutes, in consultation with house and senate counsel, shall make other necessary changes affecting the powers and duties of the State Board of Education, consistent with the law as it appeared in Minnesota Statutes 1996 and Minnesota Statutes 1997 Supplement, and in Minnesota Rules 1997 and supplements. The revisor shall prepare a report to the 2010 legislature showing where these changes were made. The changes identified by the revisor shall be effective December 1, 2009.

EFFECTIVE DATE. This section is effective the day following final enactment.