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HOUSE FILE NO. 721

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The bill was read for the first time and referred to the Committee on State and Local Government Operations Reform,
Technology and Elections

1.1 A bill for an act
1.2 relating to metropolitan government; restructuring the Metropolitan Council as a
1.3 council of governments; amending Minnesota Statutes 2008, sections 15.0597,
1.4 subdivision 1; 15A.0815, subdivision 3; 352D.02, subdivision 1; 473.123;
1.5 473.303, subdivision 2; 473.604, subdivision 1.

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

1.7 Section 1. Minnesota Statutes 2008, section 15.0597, subdivision 1, is amended to read:

1.8 Subdivision 1. **Definitions.** As used in this section, the following terms shall have
1.9 the meanings given them.

1.10 (a) "Agency" means (1) a state board, commission, council, committee, authority,
1.11 task force, including an advisory task force created under section 15.014 or 15.0593, a
1.12 group created by executive order of the governor, or other similar multimember agency
1.13 created by law and having statewide jurisdiction; and (2) ~~the Metropolitan Council,~~ a
1.14 metropolitan agency, Capitol Area Architectural and Planning Board, and any agency with
1.15 a regional jurisdiction created in this state pursuant to an interstate compact.

1.16 (b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing
1.17 agency, or (2) a new, unfilled agency position. Vacancy includes a position that is to
1.18 be filled through appointment of a nonlegislator by a legislator or group of legislators;
1.19 vacancy does not mean (1) a vacant position on an agency composed exclusively of
1.20 persons employed by a political subdivision or another agency, or (2) a vacancy to be filled
1.21 by a person required to have a specific title or position.

1.22 (c) "Secretary" means the secretary of state.

1.23 Sec. 2. Minnesota Statutes 2008, section 15A.0815, subdivision 3, is amended to read:

2.1 Subd. 3. **Group II salary limits.** The salaries for positions in this subdivision may
2.2 not exceed 85 percent of the salary of the governor:

2.3 Executive director of Gambling Control Board;
2.4 Commissioner, Iron Range Resources and Rehabilitation Board;
2.5 Commissioner, Bureau of Mediation Services;
2.6 Ombudsman for Mental Health and Developmental Disabilities;
2.7 ~~Chair, Metropolitan Council;~~
2.8 Executive director of pari-mutuel racing; and
2.9 Commissioner, Public Utilities Commission.

2.10 Sec. 3. Minnesota Statutes 2008, section 352D.02, subdivision 1, is amended to read:

2.11 Subdivision 1. **Coverage.** (a) Employees enumerated in paragraph (c), clauses (2),
2.12 (3), (4), (6) to (14), and (16) to (18), if they are in the unclassified service of the state or
2.13 Metropolitan Council and are eligible for coverage under the general state employees
2.14 retirement plan under chapter 352, are participants in the unclassified program under this
2.15 chapter unless the employee gives notice to the executive director of the Minnesota State
2.16 Retirement System within one year following the commencement of employment in the
2.17 unclassified service that the employee desires coverage under the general state employees
2.18 retirement plan. For the purposes of this chapter, an employee who does not file notice
2.19 with the executive director is deemed to have exercised the option to participate in the
2.20 unclassified program.

2.21 (b) Persons referenced in paragraph (c), clause (5), are participants in the unclassified
2.22 program under this chapter unless the person was eligible to elect different coverage under
2.23 section 3A.07 and elected retirement coverage by the applicable alternative retirement
2.24 plan. Persons referenced in paragraph (c), clause (15), are participants in the unclassified
2.25 program under this chapter for judicial employment in excess of the service credit limit in
2.26 section 490.121, subdivision 22.

2.27 (c) Enumerated employees and referenced persons are:

2.28 (1) the governor, the lieutenant governor, the secretary of state, the state auditor,
2.29 and the attorney general;

2.30 (2) an employee in the Office of the Governor, Lieutenant Governor, Secretary
2.31 of State, State Auditor, Attorney General;

2.32 (3) an employee of the State Board of Investment;

2.33 (4) the head of a department, division, or agency created by statute in the unclassified
2.34 service, an acting department head subsequently appointed to the position, or an employee
2.35 enumerated in section 15A.0815 or 15A.083, subdivision 4;

3.1 (5) a member of the legislature;

3.2 (6) a full-time unclassified employee of the legislature or a commission or agency of
3.3 the legislature who is appointed without a limit on the duration of the employment or a
3.4 temporary legislative employee having shares in the supplemental retirement fund as a
3.5 result of former employment covered by this chapter, whether or not eligible for coverage
3.6 under the Minnesota State Retirement System;

3.7 (7) a person who is employed in a position established under section 43A.08,
3.8 subdivision 1, clause (3), or in a position authorized under a statute creating or establishing
3.9 a department or agency of the state, which is at the deputy or assistant head of department
3.10 or agency or director level;

3.11 (8) the regional administrator, or executive director of the Metropolitan Council,
3.12 general counsel, division directors, operations managers, and other positions as designated
3.13 by the council, all of which may not exceed 27 positions at the council ~~and the chair~~;

3.14 (9) the executive director, associate executive director, and not to exceed nine
3.15 positions of the Minnesota Office of Higher Education in the unclassified service, as
3.16 designated by the Minnesota Office of Higher Education before January 1, 1992, or
3.17 subsequently redesignated with the approval of the board of directors of the Minnesota
3.18 State Retirement System, unless the person has elected coverage by the individual
3.19 retirement account plan under chapter 354B;

3.20 (10) the clerk of the appellate courts appointed under article VI, section 2, of the
3.21 Constitution of the state of Minnesota, the state court administrator and judicial district
3.22 administrators;

3.23 (11) the chief executive officers of correctional facilities operated by the Department
3.24 of Corrections and of hospitals and nursing homes operated by the Department of Human
3.25 Services;

3.26 (12) an employee whose principal employment is at the state ceremonial house;

3.27 (13) an employee of the Agricultural Utilization Research Institute;

3.28 (14) an employee of the State Lottery who is covered by the managerial plan
3.29 established under section 43A.18, subdivision 3;

3.30 (15) a judge who has exceeded the service credit limit in section 490.121,
3.31 subdivision 22;

3.32 (16) an employee of Enterprise Minnesota, Inc.;

3.33 (17) a person employed by the Minnesota State Colleges and Universities as faculty
3.34 or in an eligible unclassified administrative position as defined in section 354B.20,
3.35 subdivision 6, who was employed by the former state university or the former community

4.1 college system before May 1, 1995, and elected unclassified program coverage prior to
4.2 May 1, 1995; and

4.3 (18) a person employed by the Minnesota State Colleges and Universities who
4.4 was employed in state service before July 1, 1995, who subsequently is employed in an
4.5 eligible unclassified administrative position as defined in section 354B.20, subdivision
4.6 6, and who elects coverage by the unclassified program.

4.7 Sec. 4. Minnesota Statutes 2008, section 473.123, is amended to read:

4.8 **473.123 METROPOLITAN COUNCIL.**

4.9 Subdivision 1. **Creation.** A Metropolitan Council with jurisdiction in the
4.10 metropolitan area is established as a public corporation and political subdivision of the
4.11 state. It shall be under the supervision and control of ~~17~~ members, ~~all of whom shall be~~
4.12 ~~residents of the metropolitan area~~ appointed as provided in this section.

4.13 Subd. 1a. **Compensation; expenses.** Council members may be reimbursed for
4.14 actual and necessary expenses incurred in the performance of duties. The annual budget
4.15 of the council shall provide as a separate account anticipated expenditures for travel and
4.16 associated expenses for the chair and members. These expenses shall be paid only when
4.17 budgeted. No council member may be paid a per diem.

4.18 ~~Subd. 2a. **Terms.** Following each apportionment of council districts, as provided~~
4.19 ~~under subdivision 3a, council members must be appointed from newly drawn districts as~~
4.20 ~~provided in subdivision 3a. Each council member, other than the chair, must reside in the~~
4.21 ~~council district represented. Each council district must be represented by one member of~~
4.22 ~~the council. The terms of members end with the term of the governor, except that all terms~~
4.23 ~~expire on the effective date of the next apportionment. A member serves at the pleasure of~~
4.24 ~~the governor. A member shall continue to serve the member's district until a successor~~
4.25 ~~is appointed and qualified; except that, following each apportionment, the member shall~~
4.26 ~~continue to serve at large until the governor appoints 16 council members, one from each~~
4.27 ~~of the newly drawn council districts as provided under subdivision 3a, to serve terms as~~
4.28 ~~provided under this section. The appointment to the council must be made by the first~~
4.29 ~~Monday in March of the year in which the term ends.~~

4.30 Subd. 3. **Membership; appointment; qualifications.** ~~(a) Sixteen members must be~~
4.31 ~~appointed by the governor from districts defined by this section. Each council member~~
4.32 ~~must reside in the council district represented. Each council district must be represented~~
4.33 ~~by one member of the council.~~

4.34 ~~(b) In addition to the notice required by section 15.0597, subdivision 4, notice of~~
4.35 ~~vacancies and expiration of terms must be published in newspapers of general circulation~~

5.1 ~~in the metropolitan area and the appropriate districts. The governing bodies of the statutory~~
 5.2 ~~and home rule charter cities, counties, and towns having territory in the district for which~~
 5.3 ~~a member is to be appointed must be notified in writing. The notices must describe the~~
 5.4 ~~appointments process and invite participation and recommendations on the appointment.~~

5.5 ~~(c) The governor shall create a nominating committee, composed of seven~~
 5.6 ~~metropolitan citizens appointed by the governor, to nominate persons for appointment to~~
 5.7 ~~the council from districts. Three of the committee members must be local elected officials.~~
 5.8 ~~Following the submission of applications as provided under section 15.0597, subdivision~~
 5.9 ~~5, the nominating committee shall conduct public meetings, after appropriate notice, to~~
 5.10 ~~accept statements from or on behalf of persons who have applied or been nominated for~~
 5.11 ~~appointment and to allow consultation with and secure the advice of the public and local~~
 5.12 ~~elected officials. The committee shall hold the meeting on each appointment in the district~~
 5.13 ~~or in a reasonably convenient and accessible location in the part of the metropolitan area~~
 5.14 ~~in which the district is located. The committee may consolidate meetings. Following~~
 5.15 ~~the meetings, the committee shall submit to the governor a list of nominees for each~~
 5.16 ~~appointment. The governor is not required to appoint from the list.~~

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

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

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

5.23 ~~(g) Members of the council must be persons knowledgeable about urban and~~
 5.24 ~~metropolitan affairs.~~

5.25 ~~(h) Any vacancy in the office of a council member shall immediately be filled~~
 5.26 ~~for the unexpired term. In filling a vacancy, the governor may forgo the requirements~~
 5.27 ~~of paragraph (c) if the governor has made appointments in full compliance with the~~
 5.28 ~~requirements of this subdivision within the preceding 12 months. The council consists of~~
 5.29 ~~the following members:~~

5.30 ~~(1) one county commissioner from each metropolitan county with a population of~~
 5.31 ~~less than 200,000, as determined by the most recent federal decennial census, appointed~~
 5.32 ~~by the respective county boards;~~

5.33 ~~(2) two county commissioners from each metropolitan county with a population of~~
 5.34 ~~200,000 or more, as determined by the most recent federal decennial census, appointed~~
 5.35 ~~by the respective county boards;~~

6.1 (3) five members appointed by the governor, each of whom must be an elected city
 6.2 council member of a city in the metropolitan area; and

6.3 (4) the commissioner of transportation or the commissioner's designee, the
 6.4 commissioner of natural resources or the commissioner's designee, and the commissioner
 6.5 of the Minnesota Housing Finance Agency or the commissioner's designee.

6.6 The members appointed under clauses (1) to (3) serve at the pleasure of the
 6.7 respective appointing authorities and are voting members of the council. The members
 6.8 under clause (4) serve as nonvoting members.

6.9 Subd. 3a. **Redistricting.** For the purposes of sections 473.303, subdivision 2,
 6.10 and 473.604, subdivision 1, the legislature shall redraw the boundaries of the ~~council~~
 6.11 metropolitan agency districts described in this section after each decennial federal census
 6.12 so that each district has substantially equal population. Redistricting is effective in the
 6.13 year ending in the numeral "3." Within 60 days after a redistricting plan takes effect, the
 6.14 governor shall appoint members from the newly drawn districts to serve terms as provided
 6.15 under subdivision 2a in sections 473.303 and 473.604.

6.16 Subd. 3d. **District boundaries.** The ~~council~~ metropolitan agency district boundaries
 6.17 are as follows:

6.18 (1) The first ~~council~~ district consists of that portion of Hennepin county consisting
 6.19 of the cities of Champlin, Corcoran, Dayton, Greenfield, Independence, Loretto, Maple
 6.20 Grove, Maple Plain, Medicine Lake, Medina, Plymouth, and Rogers, and the town of
 6.21 Hassan.

6.22 (2) The second ~~council~~ district consists of that portion of Anoka county consisting of
 6.23 the cities of Columbia Heights, Fridley, Hilltop, and Spring Lake Park, and that portion of
 6.24 Hennepin county consisting of the cities of Brooklyn Center, Brooklyn Park, Osseo, and
 6.25 Robbinsdale.

6.26 (3) The third ~~council~~ district consists of that portion of Hennepin county consisting
 6.27 of the cities of Chanhassen, Deephaven, Eden Prairie, Excelsior, Greenwood, Hopkins,
 6.28 Long Lake, Minnetonka, Minnetonka Beach, Mound, Orono, Shorewood, Spring Park,
 6.29 Tonka Bay, Wayzata, and Woodland.

6.30 (4) The fourth ~~council~~ district consists of Carver county, that portion of Hennepin
 6.31 county consisting of the cities of Minnetrista and St. Bonifacius, and that portion of Scott
 6.32 county in the metropolitan area.

6.33 (5) The fifth ~~council~~ district consists of that portion of Hennepin county consisting
 6.34 of the cities of Bloomington, Edina, and Richfield, and the unorganized territory of Fort
 6.35 Snelling.

7.1 (6) The sixth ~~council~~ district consists of that portion of Hennepin county consisting
7.2 of the cities of Crystal, Golden Valley, New Hope, and St. Louis Park, and that portion
7.3 of the city of Minneapolis lying within a line described as follows: commencing at the
7.4 intersection of the southern boundary of the city of Minneapolis and Lyndale Avenue,
7.5 northerly along Lyndale Avenue to its intersection with Interstate Highway 394, easterly
7.6 along Interstate Highway 394 to its intersection with Interstate Highway 94, northerly
7.7 along Interstate Highway 94 to its intersection with the second set of Burlington Northern
7.8 Santa Fe Railroad tracks, westerly along that set of Burlington Northern Santa Fe Railroad
7.9 tracks to their intersection with the Canadian Pacific Railway tracks, westerly and northerly
7.10 along the Canadian Pacific Railway tracks to their most westerly intersection with Bassett
7.11 Creek in the city of Minneapolis, northwesterly along Bassett Creek to its intersection
7.12 with the western boundary of the city of Minneapolis, southerly and then easterly along
7.13 the western and southern boundaries of the city of Minneapolis to the point of origin.

7.14 (7) The seventh ~~council~~ district consists of that portion of the city of Minneapolis
7.15 lying within a line described as follows: commencing at the intersection of the west bank
7.16 of the Mississippi River with Interstate Highway 35W, southwestly along Interstate
7.17 Highway 35W to its intersection with State Highway 55, southerly along State Highway
7.18 55 to its intersection with Interstate Highway 94, easterly along Interstate Highway 94
7.19 to its intersection with 20th Avenue South, southerly along 20th Avenue South to its
7.20 intersection with Cedar Avenue, southerly along Cedar Avenue to its intersection with East
7.21 42nd Street, westerly along East 42nd Street to its intersection with the eastern boundary
7.22 of the sixth ~~council~~ district, northerly and then westerly along the eastern and northern
7.23 boundaries of the sixth ~~council~~ district to the western boundary of the city of Minneapolis,
7.24 northerly and then easterly along the western and northern boundaries of the city of
7.25 Minneapolis to the west bank of the Mississippi River, southerly and easterly along the
7.26 west bank of the Mississippi River to the point of origin.

7.27 (8) The eighth ~~council~~ district consists of that portion of the city of Minneapolis
7.28 not included in the sixth or seventh ~~council~~ district, that portion of Hennepin county
7.29 consisting of the city of St. Anthony, and that portion of Ramsey county consisting of
7.30 the city of St. Anthony.

7.31 (9) The ninth ~~council~~ district consists of that portion of Anoka county consisting of
7.32 the cities of Andover, Anoka, Bethel, Coon Rapids, East Bethel, Ham Lake, Oak Grove,
7.33 Ramsey, and St. Francis, and the towns of Burns and Linwood.

7.34 (10) The tenth ~~council~~ district consists of that portion of Anoka county consisting
7.35 of the cities of Blaine, Circle Pines, and Lexington, and that portion of Ramsey county

8.1 consisting of the cities of Arden Hills, Blaine, Falcon Heights, Lauderdale, Mounds View,
8.2 New Brighton, North Oaks, Roseville, Shoreview, and Spring Lake Park.

8.3 (11) The eleventh ~~council~~ district consists of that portion of Anoka county consisting
8.4 of the cities of Centerville and Lino Lakes, and the town of Columbus, and that portion of
8.5 Ramsey county consisting of the cities of Gem Lake, Little Canada, Maplewood, North
8.6 St. Paul, Vadnais Heights, and White Bear Lake, and the town of White Bear, and that
8.7 portion of Washington county consisting of the cities of Hugo, Landfall, Oakdale, and
8.8 White Bear Lake.

8.9 (12) The twelfth ~~council~~ district consists of that portion of Washington county not
8.10 included in the eleventh ~~council~~ district.

8.11 (13) The thirteenth ~~council~~ district consists of that portion of Dakota county
8.12 consisting of the cities of Lilydale, Mendota, Mendota Heights, Sunfish Lake, and West
8.13 St. Paul, and that portion of Ramsey county consisting of that portion of the city of St.
8.14 Paul lying east of Interstate Highway 35E.

8.15 (14) The fourteenth ~~council~~ district consists of that portion of Ramsey county
8.16 consisting of that portion of the city St. Paul lying west of Interstate Highway 35E.

8.17 (15) The fifteenth ~~council~~ district consists of that portion of Dakota county consisting
8.18 of the cities of Burnsville, Inver Grove Heights, and South St. Paul, and that portion of the
8.19 city of Eagan lying north of a line described as follows: commencing at the intersection of
8.20 Cliff Road with the western boundary of the city of Eagan, easterly along Cliff Road to
8.21 its intersection with Robert Trail South and 110th Street West, then easterly along 110th
8.22 Street West to the eastern boundary of the city of Eagan.

8.23 (16) The sixteenth ~~council~~ district consists of that portion of Dakota county in the
8.24 metropolitan area not included in the thirteenth or fifteenth ~~council~~ district.

8.25 (17) In case of any discrepancy between the description of a district in this
8.26 subdivision and the district as it appears in Metropolitan Council redistricting plan MC03,
8.27 as adopted in Laws 2003, First Special Session chapter 16, section 9, the district that
8.28 appears in plan MC03 governs.

8.29 Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a)
8.30 The chair of the Metropolitan Council shall be appointed by ~~the governor as the 17th~~
8.31 ~~voting member thereof by and with the advice and consent of the senate to serve at the~~
8.32 ~~pleasure of the governor to represent the metropolitan area at large. Senate confirmation~~
8.33 ~~shall be as provided by section 15.066 and from among the council members.~~

8.34 The chair of the Metropolitan Council shall, if present, preside at meetings of the
8.35 council, have the primary responsibility for meeting with local elected officials, serve as
8.36 the principal legislative liaison, present to the governor and the legislature, after council

9.1 approval, the council's plans for regional governance and operations, serve as the principal
 9.2 spokesperson of the council, and perform other duties assigned by the council or by law.

9.3 (b) The Metropolitan Council shall elect other officers as it deems necessary for the
 9.4 conduct of its affairs for a one-year term. A secretary and treasurer need not be members
 9.5 of the Metropolitan Council. Meeting times and places shall be fixed by the Metropolitan
 9.6 Council and special meetings may be called by a majority of the members of the
 9.7 Metropolitan Council or by the chair. The chair and each Metropolitan Council member
 9.8 shall be reimbursed for actual and necessary expenses. The annual budget of the council
 9.9 shall provide as a separate account anticipated expenditures for compensation, travel, and
 9.10 associated expenses for the chair and members, and compensation or reimbursement shall
 9.11 be made to the chair and members only when budgeted.

9.12 (c) Each member of the council shall attend and participate in council meetings
 9.13 and meet regularly with local elected officials and legislative members from the ~~council~~
 9.14 ~~member's district~~ metropolitan area. Each council member shall serve on at least one
 9.15 division committee for transportation, environment, or community development.

9.16 (d) In the performance of its duties the Metropolitan Council may adopt policies
 9.17 and procedures governing its operation, establish committees, and, when specifically
 9.18 authorized by law, make appointments to other governmental agencies and districts.

9.19 Subd. 7. **Performance and budget analyst.** The council, other than the chair, may
 9.20 hire a performance and budget analyst to assist the ~~16~~ council members with policy and
 9.21 budget analysis and evaluation of the council's performance. The analyst may recommend
 9.22 and the council may hire up to two additional analysts to assist the council with
 9.23 performance evaluation and budget analysis. The analyst and any additional analysts hired
 9.24 shall serve at the pleasure of the council members. The ~~16~~ members of the council may
 9.25 prescribe all terms and conditions for the employment of the analyst and any additional
 9.26 analysts hired, including, but not limited to, the fixing of compensation, benefits, and
 9.27 insurance. The analyst shall prepare the budget for the provisions of this section and
 9.28 submit the budget for council approval and inclusion in the council's overall budget.

9.29 Subd. 8. **General counsel.** The council may appoint a general counsel to serve at
 9.30 the pleasure of the council.

9.31 Sec. 5. Minnesota Statutes 2008, section 473.303, subdivision 2, is amended to read:

9.32 Subd. 2. **Membership; appointments.** (a) The agency consists of eight members,
 9.33 plus a chair appointed as provided in subdivision 3. The Metropolitan Council shall
 9.34 appoint the eight members on a nonpartisan basis after consultation with the members of
 9.35 the legislature from the district for which the member is to be appointed. The consultation

10.1 with legislators in the affected district must include informing each legislator of the name,
 10.2 address, and background of each candidate for appointment and soliciting and reporting to
 10.3 the appointments committee the recommendation of each legislator on the appointment.

10.4 (b) In addition to the notice required in section 15.0597, subdivision 4, notice of
 10.5 vacancies and expiration of terms must be published in newspapers of general circulation
 10.6 in the metropolitan area and the appropriate districts. The council shall notify in writing
 10.7 the governing bodies of the statutory and home rule charter cities, counties, and towns
 10.8 having territory in the district for which the member is to be appointed. The notices must
 10.9 describe the appointment process and invite participation and recommendations on the
 10.10 appointment.

10.11 (c) The council shall establish an appointments committee, composed of members
 10.12 of the council, to screen and review candidates. Following the submission of member
 10.13 applications to the Metropolitan Council as provided under section 15.0597, subdivision 5,
 10.14 the appointments committee shall conduct public meetings, following appropriate notice,
 10.15 to accept statements from or on behalf of persons who have applied or been nominated for
 10.16 appointment and to allow consultation with and secure the advice of the public and local
 10.17 elected officials. The committee shall hold the meeting on each appointment in the district
 10.18 or in a reasonably convenient and accessible location in the part of the metropolitan area
 10.19 in which the district is located. The committee may consolidate meetings. Following the
 10.20 meetings, the committee shall submit to the council a written report that lists the persons
 10.21 who have applied or been nominated or recommended for the position, along with a
 10.22 description of the background and qualifications of each. In making its recommendation,
 10.23 the committee specifically shall consider evidence of the candidate's commitment to
 10.24 regularly communicate on issues before the agency with Metropolitan Council members,
 10.25 legislators and local elected officials in the district, and the committee shall report its
 10.26 findings on this subject in its written report to the council.

10.27 (d) One member shall be appointed from each of the following agency districts:

- 10.28 (1) district A, consisting of ~~council~~ metropolitan agency districts 1 and 2;
- 10.29 (2) district B, consisting of ~~council~~ metropolitan agency districts 3 and 4;
- 10.30 (3) district C, consisting of ~~council~~ metropolitan agency districts 5 and 6;
- 10.31 (4) district D, consisting of ~~council~~ metropolitan agency districts 7 and 8;
- 10.32 (5) district E, consisting of ~~council~~ metropolitan agency districts 9 and 10;
- 10.33 (6) district F, consisting of ~~council~~ metropolitan agency districts 11 and 12;
- 10.34 (7) district G, consisting of ~~council~~ metropolitan agency districts 13 and 14; and
- 10.35 (8) district H, consisting of ~~council~~ metropolitan agency districts 15 and 16.

11.1 Sec. 6. Minnesota Statutes 2008, section 473.604, subdivision 1, is amended to read:

11.2 Subdivision 1. **Composition.** The commission consists of:

11.3 (1) the mayor of each of the cities, or a qualified voter appointed by the mayor,
11.4 for the term of office as mayor;

11.5 (2) eight members, appointed by the governor, one from each of the following
11.6 agency districts:

11.7 (i) district A, consisting of ~~council~~ metropolitan agency districts 1 and 2;

11.8 (ii) district B, consisting of ~~council~~ metropolitan agency districts 3 and 4;

11.9 (iii) district C, consisting of ~~council~~ metropolitan agency districts 5 and 6;

11.10 (iv) district D, consisting of ~~council~~ metropolitan agency districts 7 and 8;

11.11 (v) district E, consisting of ~~council~~ metropolitan agency districts 9 and 10;

11.12 (vi) district F, consisting of ~~council~~ metropolitan agency districts 11 and 12;

11.13 (vii) district G, consisting of ~~council~~ metropolitan agency districts 13 and 14; and

11.14 (viii) district H, consisting of ~~council~~ metropolitan agency districts 15 and 16.

11.15 Each member shall be a resident of the district represented. For appointments after June 2,
11.16 2006, a member must have resided in the district for at least six months and in the state
11.17 for at least one year immediately preceding the appointment. The terms of the members
11.18 from districts A, B, F, and H expire on January 1, 2007. The terms of the members from
11.19 districts C, D, E, and G expire on January 5, 2009. The successors of each member must
11.20 be appointed to four-year terms. Before making an appointment, the governor shall
11.21 consult with each member of the legislature from the district for which the member is to
11.22 be appointed, to solicit the legislator's recommendation on the appointment;

11.23 (3) four members appointed by the governor from outside of the metropolitan area to
11.24 reflect fairly the various regions and interests throughout the state that are affected by the
11.25 operation of the commission's major airport and airport system. Two of these members
11.26 must be residents of statutory or home rule charter cities, towns, or counties containing an
11.27 airport designated by the commissioner of transportation as a key airport. The other two
11.28 must be residents of statutory or home rule charter cities, towns, or counties containing
11.29 an airport designated by the commissioner of transportation as an intermediate airport.

11.30 The members must be appointed by the governor as follows: one for a term of one year,
11.31 one for a term of two years, one for a term of three years, and one for a term of four
11.32 years. All of the terms start on July 1, 1989. The successors of each member must be
11.33 appointed to four-year terms commencing on the first Monday in January of each fourth
11.34 year after the expiration of the original term. Before making an appointment, the governor
11.35 shall consult each member of the legislature representing the municipality or county

- 12.1 from which the member is to be appointed, to solicit the legislator's recommendation
12.2 on the appointment; and
12.3 (4) a chair appointed by the governor for a term of four years. The chair may be
12.4 removed at the pleasure of the governor.

12.5 Sec. 7. **APPLICATION.**

- 12.6 Sections 4 to 6 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
12.7 Scott, and Washington.