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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 860

February 16, 2009

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The bill was read for the first time and referred to the Higher Education and Workforce Development Finance and Policy Division

April 23, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act
1.2 relating to higher education; eliminating the regent candidate advisory council;
1.3 eliminating certain meeting requirements; amending Minnesota Statutes 2008,
1.4 section 137.0246, subdivision 2; repealing Minnesota Statutes 2008, section
1.5 137.0245.

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

1.7 Section 1. Minnesota Statutes 2008, section 137.0246, subdivision 2, is amended to
1.8 read:

1.9 Subd. 2. **Regent nomination joint committee.** (a) The joint legislative committee
1.10 consists of the members of the higher education budget and policy divisions in each house
1.11 of the legislature. The chairs of the divisions from each body shall be cochairs of the
1.12 joint legislative committee. A majority of the members from each house is a quorum of
1.13 the joint committee.

1.14 (b) By February 28 of each odd-numbered year, or at a date agreed to by concurrent
1.15 resolution, the joint legislative committee shall meet to consider ~~the advisory council's~~
1.16 recommendations for regent of the University of Minnesota for possible presentation to a
1.17 joint convention of the legislature.

1.18 (c) The joint committee may recommend to the joint convention candidates
1.19 ~~recommended by the advisory council and the other candidates~~ nominated by the joint
1.20 committee. A candidate ~~other than those recommended by the advisory council~~ may be
1.21 nominated for consideration by the joint committee only if the nomination receives the
1.22 support of at least three house of representatives members of the committee and two senate
1.23 members of the committee. A candidate must receive a majority vote of members from the
1.24 house of representatives and from the senate on the joint committee to be recommended to
1.25 the joint convention. The joint committee may recommend no more than ~~one candidate~~

2.1 two candidates for each vacancy. In recommending nominees, the joint committee must
2.2 consider the needs of the board of regents and the balance of the board membership with
2.3 respect to gender, racial, and ethnic composition.

2.4 ~~(d) The joint committee must meet twice, approximately one week apart. The first~~
2.5 ~~meeting is for the purpose of interviewing candidates and recommending candidates for~~
2.6 ~~the joint committee to consider. The second meeting is for the purpose of voting for~~
2.7 ~~candidates for recommendation to the joint convention.~~

2.8 Sec. 2. **REPEALER.**

2.9 Minnesota Statutes 2008, section 137.0245, is repealed.

137.0245 REGENT CANDIDATE ADVISORY COUNCIL.

Subdivision 1. **Establishment.** A Regent Candidate Advisory Council is established to assist in determining criteria for, and identifying and recruiting qualified candidates for membership on the Board of Regents and making recommendations to the joint legislative committee described in section 137.0246, subdivision 2.

Subd. 2. **Membership.** The Regent Candidate Advisory Council shall consist of 24 members. Twelve members shall be appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members shall be appointed by the speaker of the house. Each appointing authority must appoint one member who is a student enrolled in a degree program at the University of Minnesota at the time of appointment. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of any member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 shall govern the advisory council, except that:

(1) the members shall be appointed to six-year terms with one-third appointed each even-numbered year; and

(2) student members are appointed to two-year terms with two students appointed each even-numbered year.

Subd. 3. **Duties.** (a) The advisory council shall:

(1) develop, in consultation with current and former regents and the administration of the University of Minnesota, a statement of the selection criteria to be applied and a description of the responsibilities and duties of a regent, and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the Board of Regents, based on the background and experience of the candidates, their potential for discharging the responsibilities of a member of the Board of Regents, and the needs of the board. The selection criteria must not include a limitation on the number of terms an individual may serve on the Board of Regents.

(b) The selection criteria developed under paragraph (a), clause (1), must include a criterion that regents represent diversity in geography; gender; race; occupation, including business and labor; and experience.

(c) The selection criterion must include an identification of the membership needs of the board for individual skills relevant to the governance of the University of Minnesota and the needs for certain individual characteristics. Individual characteristics relate to qualities such as gender, race, and geographic location of residence.

Subd. 4. **Recommendations.** (a) The advisory council shall recommend at least two and not more than four candidates. By January 15 of each odd-numbered year, the advisory council shall submit its recommendations to the joint legislative committee described in section 137.0246, subdivision 2.

(b) The advisory council must submit a report to the joint committee on the needs criterion identified under subdivision 3, paragraph (c), at the same time it submits its recommendations.

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.