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HOUSE OF REPRESENTATIVES

**EIGHTY-SIXTH
SESSION**

HOUSE FILE No. 2786

February 8, 2010

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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

March 15, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to the city of Duluth; providing for membership of the Spirit Mountain
1.3 Recreation Area Authority; amending Laws 1973, chapter 327, section 2,
1.4 subdivision 2, as amended.

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

1.6 Section 1. Laws 1973, chapter 327, section 2, subdivision 2, as amended by Laws
1.7 1979, chapter 87, section 1, is amended to read:

1.8 Subd. 2. Policy direction for the authority is hereby vested in ~~seven~~ nine directors
1.9 appointed, after consultation with the planning commission and the park and recreation
1.10 board, by the mayor of the city of Duluth. Directors must be approved by resolution of
1.11 the city council. In selection of directors preference shall be given to persons having
1.12 knowledge and background in business, finance and management. They shall serve
1.13 without compensation, but may be reimbursed for necessary expenses incurred in the
1.14 fulfillment of their duties. The term of three of the original directors shall be two years
1.15 each and the term of four of the original directors shall be three years each, and until their
1.16 successors are appointed and qualify. The initial term of the two directors added to the
1.17 authority in 2010 shall be four years. Thereafter, terms of directors shall be three years
1.18 and until their successors are appointed and qualify. All terms shall expire on June 30.
1.19 Vacancies occurring by reason of resignation, death, or removal for neglect or failure to
1.20 perform the duties of a director shall be filled for the unexpired term by the mayor of
1.21 Duluth following the same procedure as in the original appointments. Every appointee
1.22 who fails within ten days after notification of ~~his~~ appointment to file with the city clerk ~~his~~
1.23 an oath or affirmation to perform faithfully, honestly, and impartially the duties of ~~his~~ the
1.24 office, shall be deemed to have refused such appointment, and thereupon another person

2.1 shall be appointed in the manner prescribed herein. Directors shall not have any personal
2.2 financial interest, direct or indirect, in any contract with the authority, or be engaged in
2.3 any capacity where a conflict of interest may arise.

2.4 **EFFECTIVE DATE.** This section is effective upon approval by the governing
2.5 body of the city of Duluth and compliance by the city with Minnesota Statutes, section
2.6 645.021, subdivision 3.