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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2467

03/08/2016 Authored by Albright, Hornstein, Pugh, Nash, Loonan and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
04/01/2016 Adoption of Report: Amended and re-referred to the Committee on State Government Finance

1.1 A bill for an act
1.2 relating to the Metropolitan Council; modifying membership and terms of the
1.3 Metropolitan Council; creating the Blue Ribbon Commission on the Metropolitan
1.4 Council; providing appointments; appropriating money; amending Minnesota
1.5 Statutes 2014, section 473.123, subdivisions 2a, 3.

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

1.7 Section 1. Minnesota Statutes 2014, section 473.123, subdivision 2a, is amended to read:

1.8 Subd. 2a. **Terms.** (a) Following each apportionment of council districts, as provided
1.9 under subdivision 3a, council members must be appointed from newly drawn districts as
1.10 provided in subdivision 3a. ~~Each council member, other than the chair, must reside in the~~
1.11 ~~council district represented. Each council district must be represented by one member of~~
1.12 ~~the council.~~ The terms of members ~~end with the term of the governor~~ are staggered as
1.13 follows: members representing districts one to four have terms ending the first Monday
1.14 in January of the year ending in the numeral "4"; members representing districts five to
1.15 eight have terms ending the first Monday in January of the year ending in the numeral
1.16 "5"; members representing districts nine to 12 have terms ending the first Monday in
1.17 January of the year ending in the numeral "6"; and members representing districts 13 to
1.18 16 have terms ending the first Monday in January of the year ending in the numeral "7."
1.19 Thereafter, the term of each member is four years, with terms ending the first Monday
1.20 in January, except that all terms expire on the effective date of the next apportionment.
1.21 ~~A member serves at the pleasure of the governor.~~ A member shall continue to serve the
1.22 member's district until a successor is appointed and qualified; except that, following each
1.23 apportionment, the member shall continue to serve at large until the governor appoints 16
1.24 council members, one from each of the newly drawn council districts as provided under

2.1 subdivision 3a, to serve terms as provided under this section. The appointment to the
2.2 council must be made by the first Monday in March of the year in which the term ends.

2.3 (b) A person cannot serve more than 12 years, whether or not consecutive, as a
2.4 member of the Metropolitan Council.

2.5 **EFFECTIVE DATE; APPLICATION.** This section is effective for appointments
2.6 made on or after January 1, 2019, and applies in the counties of Anoka, Carver, Dakota,
2.7 Hennepin, Ramsey, Scott, and Washington. Each member serving on the Metropolitan
2.8 Council on the effective date of this section shall continue to serve until the member's
2.9 successor is appointed and qualified. The first members appointed on or after January 1,
2.10 2019, from districts one to four shall serve terms ending the first Monday in January 2020;
2.11 the first members appointed after January 1, 2019, from districts five to eight shall serve
2.12 terms ending the first Monday in January 2021; the first members appointed after January
2.13 1, 2019, from districts nine to 12 shall serve terms ending the first Monday in January
2.14 2022; and the first members appointed after January 1, 2019, from districts 13 to 16 shall
2.15 serve terms ending the first Monday in January 2023. Thereafter, subject to Minnesota
2.16 Statutes, section 473.123, subdivision 3a, the term of each member is four years, with
2.17 terms ending the first Monday in January.

2.18 Sec. 2. Minnesota Statutes 2014, section 473.123, subdivision 3, is amended to read:

2.19 Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be
2.20 appointed by the governor from districts defined by this section. Each council member
2.21 must reside in the council district represented. Each council district must be represented
2.22 by one member of the council. Each Metropolitan Council member must be an elected city
2.23 council member or mayor, or county commissioner. A Metropolitan Council member's
2.24 office becomes vacant if the person appointed to that position ceases to be an elected city
2.25 council member or mayor, or county commissioner.

2.26 (b) In addition to the notice required by section 15.0597, subdivision 4, notice of
2.27 vacancies and expiration of terms must be published in newspapers of general circulation
2.28 in the metropolitan area and the appropriate districts. The governing bodies of the
2.29 statutory and home rule charter cities, counties, and towns having territory in the district
2.30 for which a member is to be appointed must be notified in writing. The notices must
2.31 describe the appointments process and invite participation and recommendations on the
2.32 appointment. The notice must refer persons to find more information on the Web site of
2.33 the council and other appropriate entities. The notice or the information on the Web sites
2.34 must include a description of the work of the council, the skills and knowledge needed

3.1 by council members, and the time commitment if appointed to the council, including
3.2 attending meetings throughout the member's district during the day and at night.

3.3 ~~(c) The governor shall create a nominating committee, composed~~ A committee of
3.4 ~~seven~~ 13 metropolitan citizens ~~appointed by the governor, to shall~~ nominate persons for
3.5 appointment to the council from districts. ~~Three~~ Six of the committee members must be
3.6 local elected officials appointed by the Association of Metropolitan Municipalities. Seven
3.7 members must be county commissioners, one appointed from each metropolitan county by
3.8 the respective county boards. Following the submission of applications as provided under
3.9 section 15.0597, subdivision 5, the nominating committee shall conduct public meetings,
3.10 after appropriate notice, to accept statements from or on behalf of persons who have
3.11 applied or been nominated for appointment and to allow consultation with and secure the
3.12 advice of the public and other local elected officials. The committee shall hold the meeting
3.13 on each appointment in the district or in a reasonably convenient and accessible location
3.14 in the part of the metropolitan area in which the district is located. The committee may
3.15 consolidate meetings. Following the meetings, the committee shall submit to the governor
3.16 a list of up to three nominees for each appointment. The list of nominees must be posted
3.17 on the council's Web site, and may be made public by any other means that the nominating
3.18 committee chooses, at least 14 days before the governor makes any appointments. The
3.19 governor is not required to appoint from the list.

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

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

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

3.26 (g) Members of the council must be persons knowledgeable about urban and
3.27 metropolitan affairs.

3.28 (h) Any vacancy in the office of a council member shall immediately be filled
3.29 for the unexpired term. In filling a vacancy, the governor may forgo the requirements
3.30 of paragraph (c) if the governor has made appointments in full compliance with the
3.31 requirements of this subdivision within the preceding 12 months.

3.32 **EFFECTIVE DATE; APPLICATION.** This section is effective for appointments
3.33 made on or after January 1, 2019, and applies in the counties of Anoka, Carver, Dakota,
3.34 Hennepin, Ramsey, Scott, and Washington.

3.35 Sec. 3. **BLUE RIBBON COMMISSION ON THE METROPOLITAN COUNCIL.**

4.1 Subdivision 1. **Blue Ribbon Commission on the Metropolitan Council**
4.2 **established.** The Blue Ribbon Commission on the Metropolitan Council is established
4.3 to study the needs of the region and make recommendations to the legislature and the
4.4 governor on the powers, duties, functions, and responsibilities that the Metropolitan
4.5 Council should have, the appropriate relationship the Metropolitan Council should have
4.6 with metropolitan area local governments, and the appropriate governance structure to
4.7 support and enhance those powers, duties, functions, and relationships.

4.8 Subd. 2. **Authority; duties.** (a) Among any other topics that the commission
4.9 determines are useful for informing the commission's understanding and recommendations
4.10 for the Metropolitan Council's powers, duties, functions, and relationships, the commission
4.11 shall study:

4.12 (1) the history and development of regional government in the metropolitan area;

4.13 (2) goals of local and regional government, whether they are appropriate goals, and
4.14 obstacles to achieving those goals;

4.15 (3) how to ensure adequate and appropriate accountability of the council to the
4.16 region and to the constituent local governments and residents of the region; and

4.17 (4) whether long-term regional planning is compatible with operation of major
4.18 regional systems.

4.19 (b) The commission shall conduct meetings and hearings to gather information
4.20 and analysis.

4.21 (c) The commission shall consult with all interested parties, including but not
4.22 limited to:

4.23 (1) local elected officials and staff of metropolitan area cities, counties, and towns;

4.24 (2) the Metropolitan Council;

4.25 (3) state agencies that coordinate planning or services with or issue permits to the
4.26 Metropolitan Council;

4.27 (4) academics with expertise and interest in regional government models and
4.28 local-regional government relations;

4.29 (5) former chairs of the Metropolitan Council; and

4.30 (6) other former state or regional officials with experience with and interest in
4.31 regional government and local-regional relations.

4.32 (d) The commission shall report the results of its study to the chairs and ranking
4.33 minority members of the legislative committees with jurisdiction over the Metropolitan
4.34 Council and to the governor by March 15, 2017. The report may be in the form of
4.35 proposed legislation.

4.36 Subd. 3. **Members.** The commission shall consist of the following members:

5.1 (1) three state representatives appointed by the speaker of the house, at least one
5.2 each from the majority and minority caucuses;

5.3 (2) three state senators appointed by the senate Subcommittee on Committees of
5.4 the Committee on Rules and Administration, at least one each from the majority and
5.5 minority caucuses;

5.6 (3) seven public members, one from each of the metropolitan counties, who may be
5.7 but are not required to be local elected officials; three must be appointed by the senate
5.8 Subcommittee on Committees of the Committee on Rules and Administration, three must
5.9 be appointed by the speaker of the house, and one must be appointed by the governor.

5.10 Appointments under this clause must be made as provided in Minnesota Statutes, section
5.11 15.0597. Appointing authorities are encouraged to consult with each other in making
5.12 their respective appointments in order to ensure that appointees represent the diverse
5.13 economic, social, and racial population of the metropolitan area, have diverse interests in
5.14 and experience with local and regional government, and have diverse relevant expertise.

5.15 Appointments must be made as soon as practicable after the effective date of this section.

5.16 Subd. 4. **Chairs.** The legislative appointing authorities shall each designate a
5.17 legislative appointee to serve as cochair of the commission.

5.18 Subd. 5. **Meetings; staff.** Meetings of the commission are subject to Minnesota
5.19 Statutes, chapter 13D. The Legislative Coordinating Commission shall provide
5.20 administrative support to the commission, including posting meeting notices on the
5.21 legislative Web site. Legislative staff, the Metropolitan Council, and state agencies shall
5.22 provide assistance when requested by the commission. The Legislative Coordinating
5.23 Commission may accept gifts, as provided in Minnesota Statutes, section 3.303, to support
5.24 the work of the Blue Ribbon Commission.

5.25 Subd. 6. **Compensation; expenses.** Legislative members of the commission may
5.26 be compensated as provided by the respective bodies of the legislature. Public members of
5.27 the commission shall not receive compensation, but must be reimbursed for expenses as
5.28 provided in Minnesota Statutes, section 15.0575, subdivision 3.

5.29 Subd. 7. **Appropriation.** \$..... in fiscal year 2017 is appropriated from the general
5.30 fund to the Legislative Coordinating Commission to pay the costs of the commission. This
5.31 appropriation is available until June 30, 2018.

5.32 Subd. 8. **Expiration.** The commission expires June 30, 2017.

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