

1.1 moves to amend H.F. No. 3872, the delete everything amendment
1.2 (H3872DE3), as follows:

1.3 Page 25, after line 17 insert:

1.4 "Sec. 12. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

1.5 Subdivision 1. **Membership.** The board consists of 15 members ~~appointed by the~~
1.6 ~~governor~~ elected by a joint convention of the legislature, including three members who are
1.7 students who have attended an institution for at least one year and are enrolled at the time
1.8 of appointment at least half time in a degree, diploma, or certificate program in an institution
1.9 governed by the board. The student members shall include one member from a community
1.10 college, one member from a state university, and one member from a technical college. One
1.11 member representing labor must be appointed after considering the recommendations made
1.12 under section 136F.045. The ~~governor~~ legislature is not bound by the recommendations.
1.13 ~~Appointments to the board are with the advice and consent of the senate.~~ At least one member
1.14 of the board must be a resident of each congressional district. All other members must be
1.15 appointed to represent the state at large. In ~~selecting appointees, the governor~~ electing
1.16 members to the board, the legislature must consider the needs of the board and the balance
1.17 of the board membership with respect to labor and business representation and racial, gender,
1.18 geographic, and ethnic composition.

1.19 A commissioner of a state agency may not serve as a member of the board.

1.20 Sec. 13. Minnesota Statutes 2020, section 136F.03, is amended to read:

1.21 **136F.03 CANDIDATE ADVISORY COUNCIL.**

1.22 Subdivision 1. **Purpose.** A Candidate Advisory Council for the board shall assist the
1.23 ~~governor~~ legislature in determining criteria for, and identifying and recruiting qualified
1.24 candidates for, nonstudent membership on the board.

2.1 Subd. 2. **Membership.** The advisory council consists of 24 members. Twelve members
2.2 are appointed by the Subcommittee on Committees of the Committee on Rules and
2.3 Administration of the senate. Twelve members are appointed by the speaker of the house.
2.4 No more than one-third of the members appointed by each appointing authority may be
2.5 current or former legislators. No more than two-thirds of the members appointed by each
2.6 appointing authority may belong to the same political party; however, political activity or
2.7 affiliation is not required for the appointment of a member. Geographical representation
2.8 must be taken into consideration when making appointments. Section 15.0575 governs the
2.9 advisory council, except that the members must be appointed to six-year terms.

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

2.11 (1) develop a statement of the selection criteria to be applied and a description of the
2.12 responsibilities and duties of a member of the board and shall distribute this to potential
2.13 candidates; and

2.14 (2) for each position on the board, identify and recruit qualified candidates for the board,
2.15 based on the background and experience of the candidates, and their potential for discharging
2.16 the responsibilities of a member of the board.

2.17 (b) Selection criteria developed under this section must include the requirement that
2.18 trustees represent diversity in geography, gender, race, occupation, and experience.

2.19 (c) Selection criteria developed under this section must also include the identification
2.20 of the membership needs of the board for individual skills relevant to the governance of the
2.21 Minnesota State Colleges and Universities and the needs for certain individual characteristics
2.22 that include geographic location, gender, race, occupation, and experience.

2.23 Subd. 4. **Recommendations.** Except for seats filled under sections 136F.04 and 136F.045,
2.24 the advisory council shall recommend at least two and not more than four candidates for
2.25 each seat. By April 15 of each even-numbered year in which the ~~governor makes~~
2.26 ~~appointments~~ legislature elects members to the board, the advisory council shall submit its
2.27 recommendations to the ~~governor and to the~~ chairs and ranking minority members of the
2.28 legislative committees with primary jurisdiction over higher education policy and finance.
2.29 The ~~governor~~ legislature is not bound by these recommendations.

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

3.1 Sec. 14. **[136F.035] TRUSTEE NOMINATION AND ELECTION.**

3.2 Subdivision 1. **Trustee nomination joint committee** (a) The joint legislative committee
3.3 consists of the members of the higher education budget and policy divisions in each house
3.4 of the legislature. The chairs of the divisions from each body shall be cochairs of the joint
3.5 legislative committee. A majority of the members from each house is a quorum of the joint
3.6 committee.

3.7 (b) By April 30 of each even-numbered year in which the legislature elects trustees, or
3.8 at a date agreed to by concurrent resolution, the joint legislative committee shall meet to
3.9 consider the advisory council's recommendations for members of the board of trustees for
3.10 possible presentation to a joint convention of the legislature.

3.11 (c) The joint committee may recommend to the joint convention candidates recommended
3.12 by the advisory council and the other candidates nominated by the joint committee. A
3.13 candidate other than those recommended by the advisory council may be nominated for
3.14 consideration by the joint committee only if the nomination receives the support of at least
3.15 three house of representatives members of the committee and two senate members of the
3.16 committee. A candidate must receive a majority vote of members from the house of
3.17 representatives and from the senate on the joint committee to be recommended to the joint
3.18 convention. The joint committee may recommend no more than two candidates for each
3.19 vacancy. In recommending nominees, the joint committee must consider the needs of the
3.20 board of trustees and the balance of the board membership with respect to gender, racial,
3.21 and ethnic composition.

3.22 Subd. 2. **Joint convention to elect trustees.** At the joint convention of the senate and
3.23 house of representatives called to elect trustees, the joint committee shall report the names
3.24 of the persons recommended for each vacancy. These persons are considered to be nominated.

3.25 Subd. 3. **Joint rules must conform to this section.** The joint rules of the senate and
3.26 house of representatives must be amended to conform to the requirements of this section.

3.27 Sec. 15. Minnesota Statutes 2020, section 136F.04, is amended to read:

3.28 **136F.04 STUDENT BOARD MEMBER SELECTION.**

3.29 Subdivision 1. **Responsibility.** Notwithstanding section 136F.03, the State University
3.30 Student Association and the State College Student Association shall each have the
3.31 responsibility for recruiting, screening, and recommending qualified candidates for their
3.32 student members of the board.

4.1 Subd. 2. **Criteria.** After consulting with the Candidate Advisory Council, the student
4.2 associations shall jointly develop a statement of the selection criteria to be applied to potential
4.3 candidates.

4.4 Subd. 3. **Recruiting and screening.** Each student association shall develop processes
4.5 for identifying and recruiting qualified candidates and for screening those candidates.

4.6 Subd. 4. **Recommendations.** Each student association shall recommend at least two
4.7 and not more than four candidates for its student member. By April 15 of the year in which
4.8 its members' term expires, each student association shall submit its recommendations to ~~the~~
4.9 ~~governor and to~~ the chairs and ranking minority members of the legislative committees with
4.10 primary jurisdiction over higher education policy and finance. The ~~governor~~ legislature is
4.11 not bound by these recommendations.

4.12 Sec. 16. Minnesota Statutes 2020, section 136F.045, is amended to read:

4.13 **136F.045 LABOR ORGANIZATION BOARD MEMBER SELECTION PROCESS.**

4.14 The Minnesota AFL-CIO shall recruit and screen qualified labor candidates to be
4.15 recommended to the ~~governor~~ legislature for appointment to the board. The organization
4.16 must develop a process for selecting candidates, and a statement of selection criteria for
4.17 board membership that is consistent with the requirements under section 136F.02, subdivision
4.18 1. The organization must recommend at least two and no more than four candidates to the
4.19 ~~governor~~ legislature every six years or sooner if vacancies in the labor seat occur.
4.20 Recommendations must be made to ~~the governor and to~~ the chairs and ranking minority
4.21 members of the legislative committees with primary jurisdiction over higher education
4.22 policy and finance by April 15 of the year in which the ~~governor makes appointments~~
4.23 legislature elects members to the board. The ~~governor~~ legislature is not bound by the
4.24 recommendations."

4.25 Renumber the sections in sequence and correct the internal references