

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill provides for the election, on a nonpartisan ballot, of 16 Metropolitan Council members for four-year terms with a chair elected from among the Council membership for a one-year term. The Metropolitan Council currently consists of a chair and 16 members appointed by the governor and serving at the pleasure of the governor. The maximum salary for elected Council members would continue to be \$20,000 per year for members, with no increased salary for the chair. This bill provides for the application of campaign finance laws and fair campaign practices laws to elections for the Metropolitan Council.

#### Section

- 1 **Candidate defined.** For purposes of campaign finance and public disclosure law, includes an individual seeking nomination for election to the Metropolitan Council in the definition of "candidate."
- 2 **Statements of economic interest.** Provides that candidates for the Metropolitan Council must file their statements of economic interest with the campaign finance board.
- 3 **Campaign expenditures capped.** Limits election year campaign expenditures for Metropolitan Council candidates who accept public subsidies to \$47,000.
- 4 **Contribution limits.** Limits contributions to a Metropolitan Council candidate to \$500 per source in an election year and \$100 per source in a nonelection year.
- 5 **Public subsidy for Metropolitan Council elections.** Provides that a candidate for Metropolitan Council is eligible for a \$20,000 public subsidy if the candidate has agreed to campaign spending limits, has received sufficient private contributions, was opposed in the

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primary or will be opposed in the general election, and will be on the ballot in the general election. Provides that the Metropolitan Council will provide the money needed for the subsidies within one week of board certification of the amount needed. Amounts not needed are to be returned to the Metropolitan Council.

- 6 **Special election subsidy.** The special election subsidy for a Metropolitan Council election is equal in amount to the general election subsidy. The conditions applicable to the general election subsidy also apply to the special election subsidy except that the aggregate contributions required from voters are one-quarter of the amount required for a general election and the contributions are counted for the two-month period preceding the special election, rather than the full year.
- 7 **Affidavit of contributions.** A Metropolitan Council candidate must accumulate \$2,500 in contributions to be eligible for a public subsidy in a general election.
- 8 **Subsidy return rule made applicable.** Makes provisions for return of public subsidies under certain circumstances applicable to Metropolitan Council candidates.
- 9 **Agency definition.** For purposes of appointments to multimember agencies, eliminates the Metropolitan Council from the definition of "Agency."
- 10 **Filing for primary.** Includes candidates for Metropolitan Council in list of candidates who must file an affidavit of candidacy.
- 11 **Time and place for filing affidavits and petitions.** Includes affidavits and petitions of candidates for Metropolitan Council in statute providing time and place for filing.
- 12 **Absent candidates.** Includes candidates for Metropolitan Council in statute providing for alternative means of filing for candidates who will be absent from the state during the filing period.
- 13 **Filing fees; petitions in lieu of fees.** Filing fee for affidavit of candidacy for Metropolitan Council set at \$50. Number of signatures required for a petition in lieu of filing fee set at 500.
- 14 **Redistricting.** Includes Metropolitan Council districts in definition of "local government election district" for purposes of redistricting law.
- 15 **Election expenses.** Includes the Metropolitan Council in the group to whom election expenses are to be allocated by the secretary of state for elections that are held concurrently.
- 16 **Time of election.** Includes Metropolitan Council in list of offices to be elected at the state general election.
- 17 **Non-partisan ballot.** Provides that Metropolitan Council candidates shall be placed on the non-partisan ballot.
- 18 **Vacancy in office.** Provides for a special election when a vacancy occurs on the Metropolitan Council to be held not less than 30, nor more than 60, days after the vacancy occurs. A special election may not be held less than 14 days after a special primary. If a special election is held to fill a vacancy occurring less than 60 days before the end of a term, the person elected takes office immediately for the ensuing term. A vacancy may be declared by the Metropolitan Council when a member is unable to serve or attend meetings for a 90-day period because of illness, or absence from or refusal to attend meetings for a 90-day period. This type of vacancy may be filled by appointment of the Council for either the unexpired term or until the ill or absent member is able to resume duties.
- 19 **State canvassing board.** Provides for canvass of special elections for Metropolitan Council, procedures in the case of a contest of a special election for Metropolitan Council and for issuance of certificates of election in special elections for Metropolitan Council.
- 20 **Contested elections.** Includes elections of Metropolitan Council members in statutes

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providing procedures for contested elections.

- 21 Campaign finance reports.** Includes an individual who seeks a seat on the Metropolitan Council in the definition of "candidate" for purposes of campaign finance reports.
- 22 Fair campaign practices.** Includes an individual who seeks a seat on the Metropolitan Council in the definition of "candidate" for purposes of fair campaign practices law.
- 23 Public employees defined contribution plan.** Includes a member of the Metropolitan Council as an elected local government official for purposes of the public employees defined contribution plan.
- 24 Metropolitan Council created.** Provides that members of the Metropolitan Council will be elected and strikes the reference to 17 members.
- 25 Election of Metropolitan Council chair.** Changes mechanism for selection of Metropolitan Council chair from gubernatorial appointment with Senate confirmation to election from among the members of the council. Provides a one-year term of office for the chair. The chair currently serves at the pleasure of the governor. Language relating to expense reimbursement for members is relocated. (See section 0)
- 26 Compensation.** Limits the compensation of Metropolitan Council members to \$20,000 per year. Provides for reimbursement of actual and necessary expenses of members.
- 27 Performance and budget analyst.** Deletes reference to 16 members in section permitting the Council to hire a policy and budget analyst.
- 28 Metropolitan Council elections.** Provides that the Metropolitan Council shall have 16 members who shall serve four-year terms. Provides mechanism for redistricting council districts after each decennial census. Provides that members from odd-numbered districts will serve two-year terms for the first election after a decennial redistricting.
- 29 Study.** Requires the Metropolitan Council to study the feasibility of transferring county functions or services to the Council. In particular, the study must consider the transfer of county correctional facilities and county highways. A report of the study to the legislature is required by December 31, 2006.
- 30 Application clause.** Provides that the act is applicable in the seven metropolitan counties.
- 31 Repealer.** Repeals statutes providing for appointment of Metropolitan Council members and redistricting of council districts. Repeals 1994 session law that capped the salary of the chair of the Metropolitan Council at \$52,500 per year and the salaries of members at \$20,000 per year. Repeals 2003 session law that amended a section of law that was later repealed (technical correction).
- 32 Effective date.** The act is effective for the state primary in 2006 and thereafter, except that the study called for in section 30 is effective the day following final enactment.