

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill requires the Metropolitan Council to be elected beginning in 2008. The 16 members of the Council would run for four-year terms that would be staggered so that one-half were elected every two years. They would be subject to campaign reporting requirements similar to those for state candidates. Candidates for the Council would have contribution limits the same as those for legislators, and those who choose to accept public financing would be subject to an election-year spending limit of \$47,000. Their public subsidy would be \$20,000, paid for by the Council from the Council's existing tax levy. To be eligible to receive the subsidy, a candidate would have to sign a spending limit agreement, raise \$2,500 in contributions from persons eligible to vote in this state, counting only the first \$50 received from each contributor, be opposed in either the primary or the general election, and survive the primary election. Council members would be paid a salary set by the Council, not to exceed \$40,000 for 2010.

A similar bill passed in the 1997 session (H.F. 423; Laws 1997, chapter 151) but was vetoed by Governor Carlson.

#### Section

- 1** **Candidate.** Defines a candidate for purposes of Minnesota Statutes, chapter 10A, to include an individual who seeks nomination or election to the Council.
- 2** **Statement of economic interest.** Clarifies that a candidate for or member of the Council must file a statement of economic interest with the Board of Campaign Finance and Public

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Disclosure rather than with the Council.

- 3 **Spending limit.** Imposes a spending limit on Council candidates of \$47,000 in an election year.
- 4 **Contribution limits.** Imposes a limit on contributions to Council candidates of \$500 in an election year and \$100 in nonelection years.
- 5 **Public subsidy.** Provides a public subsidy of \$20,000 to Council candidates who survive the primary and who have filed a spending limit agreement and an affidavit of matching contributions. The public subsidy is paid for by the Council. The subsidy would be paid to candidates no later than one week after the state canvassing board has certified the winners of the primary election.
- 6 **Special election subsidy.** Provides a public subsidy for special elections that is the same as the subsidy paid in the general election, except that the match required is one-quarter of that required in the general election and the candidate may count contributions received during the two months immediately preceding the special election for purposes of the match.
- 7 **Required match.** Sets the level of the required match at \$2,500 for candidates for the Council.
- 8 **Return of subsidy.** Requires a candidate to return the public subsidy to the extent the amount that the public subsidy received exceeds actual expenditures made by the candidate.
- 9 **Open appointments process.** Strikes the Council from the list of agencies whose appointees must go through the open appointments process.
- 10 **Affidavits of candidacy.** Requires the affidavit of candidacy for a Council member to include a statement that the candidate meets any other qualifications for the office prescribed by law.
- 11 **Affidavits of candidacy.** Provides that candidates for the Council must file their affidavits of candidacy at the same time as other candidates for state and federal office.
- 12 **Absent candidates.** Allows Council candidates to file their affidavit of candidacy before the filing period if they will be absent from the state during the filing period.
- 13 **Filing fee.** Sets the filing fee for Council candidates at \$50 and sets the number of signatures for a petition in place of a filing fee at 500.
- 14 **Districts redrawn.** Adds Council districts to those local government election districts that must be redrawn within 80 days after the Legislature has been redistricted.
- 15 **Allocation of election expenses.** Authorizes the Secretary of State to allocate election expenses to the Council, just as they are now allocated to counties, cities, and school districts.
- 16 **State general election.** Provides that Council members will be elected at the state general election held in the year before their terms expire.
- 17 **Nonpartisan ballot.** Puts Council offices on the state and county nonpartisan canary ballot.
- 18 **Filling vacancies.** Provides that a vacancy in the office of Council member must be filled at a special election scheduled by the Council on a date not less than 30 nor more than 60 days after the vacancy occurs. If a Council member is unable to serve or attend Council meetings for a 90-day period because of illness, absence, or refusal to attend, the Council may declare a vacancy and make a temporary appointment to fill the vacancy until the ill or absent member is again able to attend.
- 19 **Special Metropolitan Council election.** Imposes deadlines for the state canvassing board to complete the canvass of a special election and for the filing of election contests and issuance of a certificate of election following a special election.
- 20 **Election contest.** Authorizes an election contest to be filed regarding an election to the

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Council.

- 21 Local candidate contribution limits.** Excludes candidates for the Council from regulation under chapter 211A, which imposes contribution limits and reporting requirements on candidates for local office that are less strict than those that apply to state candidates.
- 22 Fair campaign practices.** Makes Council candidates subject to the Fair Campaign Practices Act, chapter 211B.
- 23 Contribution refund.** Excludes contributions to candidates for the council from eligibility for contribution refunds.
- 24 Retirement plan.** Makes members of the Council eligible to participate in the public employees defined contribution retirement plan administered by the Public Employees Retirement Association.
- 25 Election of Council.** Strikes the provision setting the size of the Council at 17 members and says that the members will be elected as provided in section 473.124.
- 26 Election of chair.** Requires the chair of the Council to be elected from among the members.
- 27 Compensation.** Creates a new subdivision on compensation of Council members to take the place of the language on compensation that is stricken from section 26.
- 28 Conforming amendments.** Makes conforming amendments to the section relating to the Council's performance and budget analyst to reflect the fact that the chair of the Council will now be elected from among the members.
- 29 Council size, districts, and terms.** Sets the size of the Council, provides for redrawing Council districts after each federal decennial census, and electing the members of the Council.

**Subd. 1.** Sets the size of the Council at 16.

**Subd. 2.** Requires the Council to draw the Council districts after each federal decennial census based on traditional districting principles and requires the Council to provide three weeks' published notice of its meeting to redistrict and to file a map of the new districts with the Secretary of State.

**Subd. 3.** Provides staggered four-year terms for Council members.

- 30 Salaries.** Provides that the salary of members of the Council elected in 2010 must not exceed \$40,000.
- 31 Application clause.** Provides that the act applies in the seven metropolitan counties.
- 32 Repealers.** Repeals the following sections:

- Section 473.123, subdivision 2a, which sets the terms of Council members. The members currently serve at the pleasure of the Governor for a term coterminous with the Governor.
- Section 473.123, subdivision 3, which provides for appointment of the Council by the Governor.
- Section 473.123, subdivision 3a, which requires the Legislature to redraw the boundaries of Council districts after each federal census.
- Section 473.123, subdivision 3d, which establishes the boundaries of Met

**Section**

Council districts.

- Laws 1994, chapter 628, article 1, section 8, which sets the salary of the chair of the Metropolitan Council at \$52,500 per year and the salary of a Metropolitan Council member at \$20,000 per year until changed in law after recommendation of the Compensation Council under Minn. Stat. § 15A.082. (The chair's salary has been set at \$58,489 since August 2000.)

**33** **Effective date.** Makes the act effective for the state primary in 2010, except that section 30, calling for a study, is effective the day following final enactment.