

HOUSE RESEARCH

Bill Summary

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Authors: Zerwas

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Analyst: Deborah A. Dyson

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This special law would permit the city of Elk River to increase the size of its utilities commission from three members to five members, and increase the number of utilities commission members that may also serve as city council members from one to two. Requires staggered terms that are set in the commission's bylaws. Effective upon local approval.

General law. Minnesota Statutes, section 412.331, allows a statutory city to establish a utilities commission by ordinance:

“Any statutory city may by ordinance expressly accepting the provisions of sections 412.331 to 412.391 establish a public utilities commission with the powers and duties set out in those sections. Any water, light, power and building commission now in existence in any statutory city shall hereafter operate as a public utilities commission under sections 412.321 to 412.391.”

Section 412.341, subdivision 1, governs membership and terms of the commission members:

“The commission shall consist of three members appointed by the council. No more than one member may be chosen from the council membership. Each member shall serve for a term of three years and until a successor is appointed and qualified except that of the members initially appointed in any city, one shall serve for a term of one year, one for a term of two years, and one for a term of three years. Residence shall not be a qualification for membership on the commission unless the council so provides. A vacancy shall be filled by the council for the unexpired term.”

Other cities that have gotten similar special law authority are Grand Rapids (1999), Shakopee and Delano (2002), Nashwauk (2008), and Melrose (2011).