

# HOUSE RESEARCH

## Information Brief

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### Election of Regents

The Board of Regents is the governing body of the University of Minnesota. It is the only governmental body in the state to which members are elected by the legislature. This information brief describes the election process in Minnesota, explains the role of the Regent Candidate Advisory Council, describes the history of failed regent elections, and lists the current members of the Board of Regents.

#### Legal Provisions

The University of Minnesota regent election provisions were established by the territorial legislature as part of the university charter in 1851, and then incorporated into the state constitution when Minnesota achieved statehood. Some statutory specifications have been added. The election of regents is also governed under the joint rules of the House and Senate.

**The Minnesota Constitution provides for the number of regents, the length of their terms, the election process, and the method for filling vacancies. Minn. Const., art. XIII, § 3.**

- Twelve regents are elected by the legislature to six-year terms. University Charter §§ 4 and 5.
- One-third of the board is elected each odd-numbered year at a joint convention of the legislature. University Charter § 5.
- The governor may make a temporary appointment to fill a vacancy on the board until the legislature elects a successor. University Charter § 6.

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**Minnesota statutes require geographic and student representation on the board, establish an advisory council, and provide a process to recommend candidates to the legislature.**

- Eight regents are elected to represent each of the state's eight congressional districts. Minn. Stat. § 137.024.
- One at-large regent must be a student at the time of election. Minn. Stat. § 137.023.
- An advisory council, appointed by the legislature, recommends qualified candidates. Minn. Stat. § 137.0245.

**Joint legislative rules require a joint hearing of the education committees to recommend regent candidates to a joint convention of the Senate and House.**

- A joint committee of the Senate and House education committees meets to hear recommendations of the Regent Candidate Advisory Council and other nominations from members. The joint committee recommends, by a majority vote, a slate of candidates to the full legislature. Joint Rules 4.01.
- A joint convention of the Senate and House elects, by majority vote, a regent for each vacant seat from slate of candidates recommended by the joint committee and other nominations by legislators from the floor. Joint Rules 4.02.

## **Advisory Council**

The 1988 Legislature established a Regent Candidate Advisory Council to assist in identifying, recruiting, screening, and recommending candidates. Prior to that time, candidates nominated themselves and no screening process existed.

**The House and Senate appoint the 24 members of the advisory council to staggered six-year terms.**

One-third of the members are appointed each even-numbered year as follows:

- four new members are appointed by the speaker of the House;
- four new members are appointed by the Senate subcommittee on committees of the rules and administration committee;
- no more than one-third of those appointed may be current or former legislators;
- no more than two-thirds of those appointed may belong to the same political party;
- political affiliation or activity may not be required for the appointment of any member; and
- geographical representation must be considered in making appointments.

**The advisory council is responsible for developing selection criteria for regent candidates.**

According to the written criteria, regent candidates:

- must be Minnesota residents and a resident of the congressional district for a seat identified by congressional district;
- must be enrolled in a University degree program for the student seat;
- should be knowledgeable about Minnesota higher education and the role of the University of Minnesota;
- should have a record of civic and social commitment relevant to service on the board;
- should have previous experience serving on governing boards;
- should be persons of high moral and ethical integrity;
- should be aware of any potential conflict of interest and be able to put the university's interest first; and
- should be able to devote the time, energy, and financial resources necessary to fill a six-year term without compensation.

**The advisory council must recommend two to four candidates for each regent seat to the speaker of the House and the president of the Senate.**

The council submits a report with the name of the candidates for each open regent seat for consideration by the legislature. A regent can be elected to serve more than one term, but the election process is the same for subsequent elections.

## **Election Process**

The election process starts with the Regent Candidate Advisory Council recruiting candidates during the fall preceding the regent election and culminates with the election of regents by a joint convention of the legislature in February or March of the odd-numbered years.

**The Regent Candidate Advisory Council recommends regent candidates by early February.**

- The council solicits and receives nominations for regents in the fall preceding the election.
- From the applications, the council selects a pool of candidates to interview for each position.

- The council conducts public interviews in January of the odd-numbered year.
- By statute, the council must make recommendations by March 15 of the odd-numbered years.
- Since 1997, the council has made its recommendations by early February.

**District caucuses recommend regent nominees for seats identified by congressional district.**

- The legislators from each congressional district with an open regent seat hold a caucus in February to consider regent candidates.
- A legislator from the congressional district reports the caucus recommendations to the legislature.

**Joint meetings of the House and Senate education committees meet in February.**

- The joint committee considers recommendations of the Regent Candidate Advisory Council and reports from the district caucuses.
- Members of the joint committee may also nominate persons for open regent positions.
- The joint committee reports a slate of candidates to the full legislature.

**The House and Senate meet in joint convention in late February to elect regents.**

- The slate of regent candidates recommended by the joint committee is placed in nomination.
- Legislators can also nominate persons for each regent seat.
- Regents are elected by a majority vote of the joint convention.

Since the advisory council was established, all regents have been elected from the group recommended by the advisory council. The appendix has a history of the recommendations made by the advisory council, the joint committee, and the regents elected by the legislature.

## **Failure to Elect**

Since 1929, the legislature has failed to elect regents four times—in 1933, 1937, 1973, and 2001.<sup>1</sup>

### **The governor appoints regents to fill vacancies on the board of regents.**

The university charter requires the governor to make appointments to fill vacancies on the board of regents, including vacancies that are caused by the failure of the legislature to elect regents. The charter does not provide for a regent to serve until a successor is elected but fixes the term of the regents at six years. Minnesota governors have made appointments in each of the four years when the regent vacancies were not filled by a legislative election. Gubernatorial appointments to the board of regents serve until the legislature has an election to replace or to elect them to the remainder of their term.

### **The legislature can act in any session to elect regents for positions that were filled by the Governor.**

The legislature can have a joint convention to elect regents during any regular or special legislative session. After an election failure, the legislature has typically considered the governor's appointments to the board of regents in the next regular odd-year election. The legislature can accept through an election all of the governor's appointments or can reject any or all of them by electing someone else to fill the term.

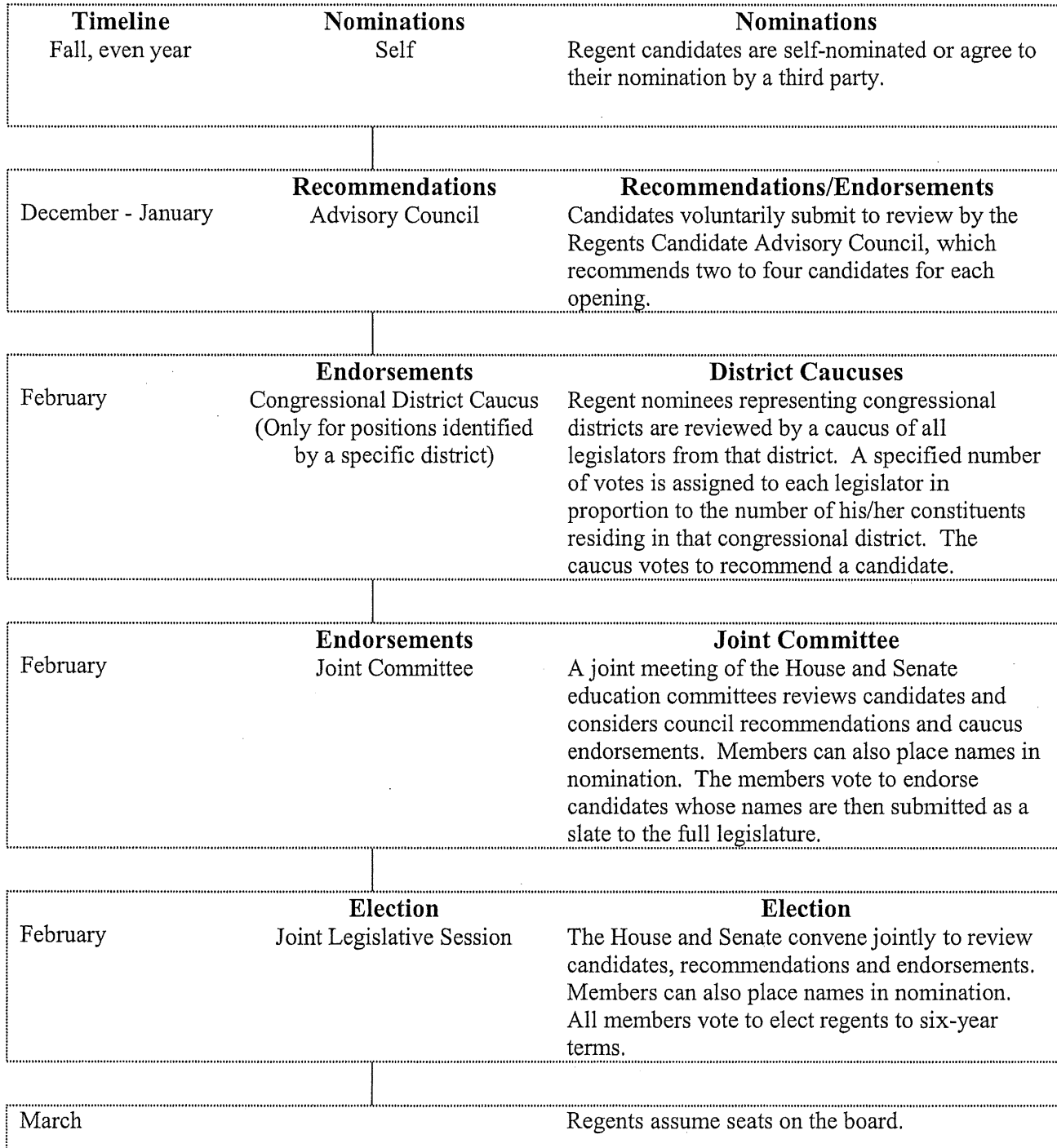
The history has been mixed. The 1935 Legislature elected four regents including three of the appointments made by Governor Floyd Olson in 1933 (one appointee was not elected). The 1939 Legislature elected seven regents and excluded all four of the appointments made by Governor Elmer Benson in 1937. By contrast, the 1975 Legislature elected nine regents including all of four of Governor Wendell Anderson's 1973 appointments.

The 2001 legislative session adjourned on May 21, 2001, without electing regents. On July 31, 2001, Governor Jesse Ventura appointed five members to the board of regents (one of the appointees has since resigned and been replaced with another appointment by Governor Ventura). The legislature has not yet considered any of the appointed regent positions, but could act on them in the 2003 session.

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<sup>1</sup> From 1868 until 1929, all regents were appointed by the governor under Minnesota statutes (Laws 1860, ch. 80). The Minnesota Supreme Court in *State v. Chase* (175 Minn. 259, 220 N.W. 951 (1928)) restored the right of the university under the constitution to be governed by a board of regents elected by the legislature in joint convention.

## Regent Election Process



## Current Board of Regents

Current regents are listed below with the year in which their terms expire.

Member	District	First Elected	Appointed	Term Expiration
H. Bryan Neel III	1	1991		2003
Dallas Bohnsack	2	1999		2005
William Hogan II	3	1993		2005
David Metzen	4	1997		2003
Peter Bell	5		2002*	2007**
Maureen Reed	6	1997		2003
Robert Bergland	7	1997		2003
Anthony Baraga	8	1999		2005
Frank Berman	At large		2001***	2007**
Jean Keffler	At large	1989	2001***	2007**
Richard McNamara	At large		2001***	2007**
Lakeesha Ransom	At large, student		2001***	2007**

\* Governor Ventura appointed Peter Bell on October 10, 2002, to replace Regent Michael O'Keefe who resigned on October 7, 2002. Regent O'Keefe was one of the regents appointed by Governor Ventura in 2001.

\*\* When legislature elects a successor or 2007, whichever is first.

\*\*\* The legislature adjourned in 2001 without electing regents. On July 31, 2001, Governor Ventura made appointments to fill the vacancies. The regents who were appointed serve until the legislature elects a successor or a maximum six-year term.

**Appendix**  
**History of Regent Election and Recommendations of the Regent Advisory Council**

Year	Regent Selection Advisory Council Recommendations	Elected to Six-Year Terms
<b>1989</b>	Student: David Gerald Minkkinen Randall Scott Peterson Geoffrey Andrew Pollak Darrin Michael Rosha (S)	Darrin M. Rosha (S)
	Fifth District: Karen O'Link Bachman Jean Burhardt Keffeler (S) Alan Cedric Page (S) Terry Tinson Saario	Jean Burhardt Keffeler (S)
	At-large (2 seats): Alan Cedric Page (S) Yvonne Corker Condell Gordon Melburn Donhowe (withdrew) Luella Gross Goldberg Lester Christensen Krogh Vernon Lee Moore Mary J. Page (S) James Patrick Shannon Gary Hilton Stern	Alan Cedric Page (S) Mary J. Page (S)
<b>May 3, 1989 Joint Convention</b>		
	<u>Legislative Nominations</u>	
	Fifth District: Alan C. Page nominated by Rep. Osthoff	
	Student: David Minkkinen nominated by Rep. Ogren Randall Peterson nominated by Rep. Lynch	
	At-Large: Luella Goldberg nominated by Rep. Luther Cy Carpenter nominated by Sen. Adkins James Shannon nominated by Sen. Waldorf Vernon Moore nominated by Rep. Himle	
<b>1990-1991</b>	Regent Jack Grabek resigned and Thomas Reagan was appointed by Governor Perpich	
<b>1991</b>	First District: James H. Manahan (S) H. Bryan Neel III Karen E. Nielson Nedra M. Wicks	H. Bryan Neel III
	Fourth District: David L. Beaulieu Arthur William (Bill) Sands, Jr. Ann Wynia (S) Biloine (Billie) W. Young	Ann Wynia (S)
	Sixth District: Wendell R. Anderson (I) (S) Michael E. Hart Christine Anderson Morrison Gerald W. Timm	Wendell R. Anderson (S)

(I) Incumbent regent  
(A) Appointed by governor  
(S) Slate of candidates recommended by the joint education committee



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	Seventh District: Gretchen U. Beito Jay D. Myster Mary N. Preisler Stanley D. Sahlstrom (I) (S)	Stanley D. Sahlstrom (S)
<b>April 17, 1991 Joint Convention</b>		
<u>Legislative Nominations</u>		
	First District: H. Bryan Neel nominated by Rep. Bishop Eduardo Wolle nominated by Rep. Mariani	
	Seventh District: Jay D. Myster nominated by Rep. Anderson, R.	
	Fourth District: Arthur Williams Sands Jr. nominated by Rep. Valento	
<b>1993</b>	Regent Alan Page resigned and Lawrence Perlman was appointed by Governor Carlson	
	Second District: Kenneth Albrecht Julie Bleyhl (S) Dallas Bohnsack Benjamin Vander Kooi, Jr.	Julie Bleyhl (S)
	Third District: Lurline Baker-Kent M. Elizabeth Craig William E. Hogan (S) Michael P. Sullivan	William E. Hogan (S)
	Eighth District: Edith H. Michalski Thomas Reagan (S)	Thomas Reagan (S)
	At-Large (2 seats): Marvin Berman Charles M. Denny, Jr. Mary Kim William Lahr David R. Metzen Lawrence Perlman (A) (S) William Peterson (S) Sandra L. Vargas	William Peterson (S)  Lawrence Perlman (S) to remainder of Page term
<b>April 28, 1993 Joint Convention</b>		
	Second District: Dallas Bohnsack nominated by Sen. Oliver	
	Third District: M. Elizabeth Craig nominated by Rep. Pauly	
	At-Large: Mary Kim nominated by Rep. Evans Sandra L. Vargas nominated by Rep. Mariani Marvin Borman nominated by Rep. Abrams	
<b>1994</b>	Resignation of Regent Ann Wynia	

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	Fourth District: Gerald Christenson Hyon T. Kim (S) Elsa Vega-Perez Billie Young	Hyon T. Kim (S) to remainder of Wynia term
<b>April 21, 1994 Joint Convention</b>		
No legislative nominations		
<b>1995</b>	At-Large (2 seats): Warren Larson Richard McNamara (S) Patricia Spence (S) Emily Anne Staples Tuttle Bilone W. Young	Warren Larson Patricia Spence (S)
	At-Large Student: Jessica Phillips (S) Cecil Smith	Jessica Phillips (S)
	Fifth District: Jean B. Keffeler (I) (S) Michael M. Vekich	Jean B. Keffeler (S)
<b>May 3, 1995 Joint Convention</b>		
<u>Legislative Nominations</u>		
	At-Large: Biloine Young nominated by Rep. Entenza Mike Vekich nominated by Rep. Rhodes Warren Larson nominated by Rep. Olson, E	
<b>1996</b>	Resignation of Regent Jean Keffeler and appointment of Michael O'Keefe by Governor Carlson	
<b>1997</b>	First District: H. Bryan Neel (I) (S) Thomas Stoa	H. Bryan Neel (S)
	Fourth District: W. Andrew Boss Carol Ericson David R. Metzen (S)	David R. Metzen (S)
	Fifth District: William E. Drake Michael O'Keefe (S)	Michael O'Keefe (S) to remainder of Keffeler term
	Sixth District: George Allen Barbara B. Klemme Maureen K. Reed (S)	Maureen K. Reed (S)
	Seventh District: Bob S. Bergland (S) Herbert W. Chilstrom	Bob S. Bergland (S)

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<b>February 27, 1997 Joint Convention</b>		
<u>Legislative Nominations</u>		
	First District: Thomas Stoa nominated by Sen. Spear	
	Fourth District: Carol Ericson nominated by Rep. McGuire	
	Seventh District: Bob Anderson nominated by Rep. Anderson, I.	
<b>1999</b>	Second District: Dallas Bohnsack (S) Rholan Larson	Dallas Bohnsack (S)
	Third District: Richard Clarke William Hogan (S)	William Hogan (S)
	Eighth District: Anthony Baraga (S) Fred Friedman Frances Gardeski Thomas Renier	Anthony Baraga (S)
	At-Large: David C. Johnson William Peterson (S)	William Peterson (S)
<b>February 18, 1999 Joint Convention</b>		
	Second District: Julie Bleyhl nominated by Rep. Kahn	
	At-Large: Julie Bleyhl nominated by Rep. Molnau	
<b>2000</b>	Vacancy from death of Regent William Peterson and no appointment by Governor Ventura	
<b>2001</b>	At-Large (3 seats): Frank Berman William Dolan Jacqueline Fraedrich David Johnson (Peter) Jay Kiedrowski Warren Larson (I) John MacFarlane Richard McNamara (S) Patricia Spence (I) (S)	No Election Governor appointments to fill vacancies:  Frank Berman Jean Keffler Richard McNamara (S)
		Ray Waldren (S) nominated at joint committee by Rep. McGuire
	At-Large Student: Angela Bos (S) LaKeesha Ransom	LaKeesha Ransom
	Fifth District: Michael O'Keefe (I) (S) Franklin Pass	Michael O'Keefe (S)

(I) Incumbent regent  
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**2001 No Joint Convention.** The joint education committee met on February 20, 2001 and recommended a slate of regent candidates. A joint convention of the House and Senate was not convened to elect regents before the session adjourned.

**2001** Regent Michael O'Keefe resigned and Peter Bell was appointed by Governor Ventura.

(I) Incumbent regent  
(A) Appointed by governor  
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Sources: *Regent Candidate Advisory Council*, Report to the Minnesota Legislature, 1989, 1991, 1993, 1995, 1997, 1999, 2001  
Minutes of the Regent Candidate Advisory Council, April 6, 1994  
*Journal of the House*

*For more information about higher education, visit our web site,  
[www.house.leg.state.mn.us/hrd/issinfo/ed\\_high.htm](http://www.house.leg.state.mn.us/hrd/issinfo/ed_high.htm).*