

# Regent Election Process

---

NATHAN HOPKINS, MINNESOTA HOUSE RESEARCH DEPARTMENT

Presentation to the University of Minnesota Retirees Association (UMRA)

January 2023



**News** [State Government](#)

## Advisory council starts process to fill 4 U of M Board of Regents seats (but Legislature will finish it)

In the case of the **complex and often inexplicable process** created by state law to appoint the 12 people who form the legal governing body of the state's flagship university, Friday's application deadline is more of a suggestion than a rule, because state lawmakers can submit names later.

By [Peter Callaghan](#) | Staff Writer

# Sources of Authority: Charter

2<sup>nd</sup> Territorial Legislature

1851 Territorial Laws,  
Chapter 3

Predates statehood

**10** **LAWS OF MINNESOTA. CH. 3. 1851.**

**Government of the University, how vested.**

**Board of Regents to be elected by the present Legislature. Classification, and term of offices, viz: 1st class 2 years; 2d class 4 years; 3d class 6 years from 1st Monday in Feb. next. Future elections to be biennial.**

**Vacancies, how filled.**

**SEC. 4.** The government of this University shall be vested in a Board of twelve Regents, who shall be elected by the Legislature as hereinafter provided.

**SEC. 5.** The members of the Board of Regents shall be elected at the present session of the Legislature, and shall be divided into classes, numbered one, two, and three; class numbered one shall hold their offices for two years; class numbered two, for four years, and class numbered three, for six years, from the first Monday of February, one thousand eight hundred and fifty-one; biennially thereafter there shall be elected in Joint Convention of both branches of the Legislature, four members to supply the vacancies made by the provisions of this section, and who shall hold their offices for six years respectively.

**SEC. 6.** Whenever there shall be a vacancy in the office of Regents of the University, from any cause whatever, it shall be the duty of the Governor to fill such office by appointment, and the person or persons so appointed, shall continue in office until the close of the session of the Legislature, then next thereafter, and until others are elected in their stead.

# Sources of Authority: Constitution

---

MN Constitution (1858)

*Incorporates the 1851  
charter*

## ARTICLE XIII MISCELLANEOUS SUBJECTS

**Section 1. Uniform system of public schools.** The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state.

**Sec. 2. Prohibition as to aiding sectarian school.** In no case shall any public money or property be appropriated or used for the support of schools wherein the distinctive doctrines, creeds or tenets of any particular Christian or other religious sect are promulgated or taught.

**Sec. 3. University of Minnesota.** All the rights, immunities, franchises and endowments heretofore granted or conferred upon the University of Minnesota are perpetuated unto the university.

# Sources of Authority: Court Ruling

---

“...the people of the state, speaking through their Constitution. have explicitly and purposefully declared that the regents, 12 in number, shall be elected by ‘joint convention’ of their own representatives in the Legislature. We consider that inescapable under the constitutional provision perpetuating ‘the rights, immunities, franchises and endowments’ granted by the act of 1851”

*State ex rel. Peterson v. Quinlivan*, 268 N.W. 858, 861 (Minn. 1936)

# Sources of Authority: Joint Rules

## ARTICLE IV - ELECTIONS OF REGENTS

### JOINT COMMITTEE

4.01 By February 28 of each odd-numbered year, or at a date agreed to by concurrent resolution, a joint committee shall meet to recommend nominees for regent of the University of Minnesota to be presented to a Joint Convention of the legislature. The members of the joint committee are the members of the senate and house budget and policy divisions on higher education. A majority of the members from each house is a quorum of the joint committee.

The joint committee may recommend to the joint convention candidates recommended by the advisory council and any other candidates nominated by the joint committee. Nominations may be made by committee members only. Nominations must be made for a specified congressional or student seat, or for any at-large seat. In recommending nominees, the joint committee must consider the needs of the University of Minnesota. A candidate other than one recommended by the advisory council may be nominated for consideration by the joint committee only if the nomination receives the support of at least three house of representatives members of the committee and two senate members of the committee. The joint committee must make recommendations for vacancies on the Board of Regents.

The roll shall be called viva voce on the recommendation of regents. A candidate must receive a majority vote of members from the house of representatives and from the senate on the joint committee to be recommended to the joint convention.

The joint committee must meet to interview candidates and recommend candidates to the joint convention.

## ARTICLE IV - ELECTIONS OF REGENTS

### JOINT CONVENTION

4.02 At the Joint Convention of the Senate and House of Representatives called to elect regents, the joint committee shall report the name of the person or persons recommended for each seat. These persons are considered to be nominated. Any member of the legislature may submit additional nominations. If there is more than one at-large seat to be filled, all candidates nominated for an at-large seat are candidates for any of the at-large seats.

The roll shall be called viva voce on the election of regents. The roll must be called first on congressional district seats until they are filled, then on the student seat, and then on the at-large seats.

Each member may cast one vote for each seat to be filled, but no more than one vote for a candidate.

*The candidate for each seat receiving a majority of the votes cast must be declared elected. If there is more than one at-large seat to be filled and more than one candidate who receives a majority of the votes cast, the candidates receiving the highest number of votes must be declared elected; in case of a tie for the highest number of votes, the votes must be cast again. If no candidate receives a majority of the votes cast for a seat, on each succeeding ballot the candidate with the fewest votes must be dropped from consideration and the votes cast again until a majority vote is achieved. Any candidate with fewer than 20 votes on any ballot shall also be dropped on succeeding ballots.*

# Sources of Authority: Statutes

---

## CHAPTER 137. UNIVERSITY OF MINNESOTA

<b>Section</b>	<b>Headnote</b>
<a href="#"><u>137.01</u></a>	[Repealed, <a href="#"><u>1998 c 384 s 13</u></a> ]
<a href="#"><u>137.02</u></a>	POWERS AND DUTIES OF BOARD OF REGENTS.
<a href="#"><u>137.021</u></a>	ACCEPTANCE OF FEDERAL MONEY.
<a href="#"><u>137.022</u></a>	PERMANENT UNIVERSITY FUND.
<a href="#"><u>137.0225</u></a>	UNIVERSITY PROMISE SCHOLARSHIP.
<a href="#"><u>137.0226</u></a>	SCHOLARSHIP FUNDING PROGRAM.
<b>BOARD OF REGENTS; MEMBERSHIP AND SELECTION</b>	
<a href="#"><u>137.023</u></a>	UNIVERSITY STUDENT ON BOARD OF REGENTS.
<a href="#"><u>137.024</u></a>	CONGRESSIONAL DISTRICTS REPRESENTED ON BOARD OF REGENTS.
<a href="#"><u>137.0245</u></a>	REGENT CANDIDATE ADVISORY COUNCIL.
<a href="#"><u>137.0246</u></a>	REGENT NOMINATION AND ELECTION.

# Composition of the Board of Regents

## University Charter / Constitution

Territorial Laws 1851, c 3;  
incorporated into the  
Constitution at Article XIII, § 3

- 12 regents
- Elected by a joint convention of the Legislature (House and Senate)
- Six-year terms (no term limit)
- Staggered into three “classes,” so four regents typically up for election every biennium
- Irregular vacancies filled by the governor until next election

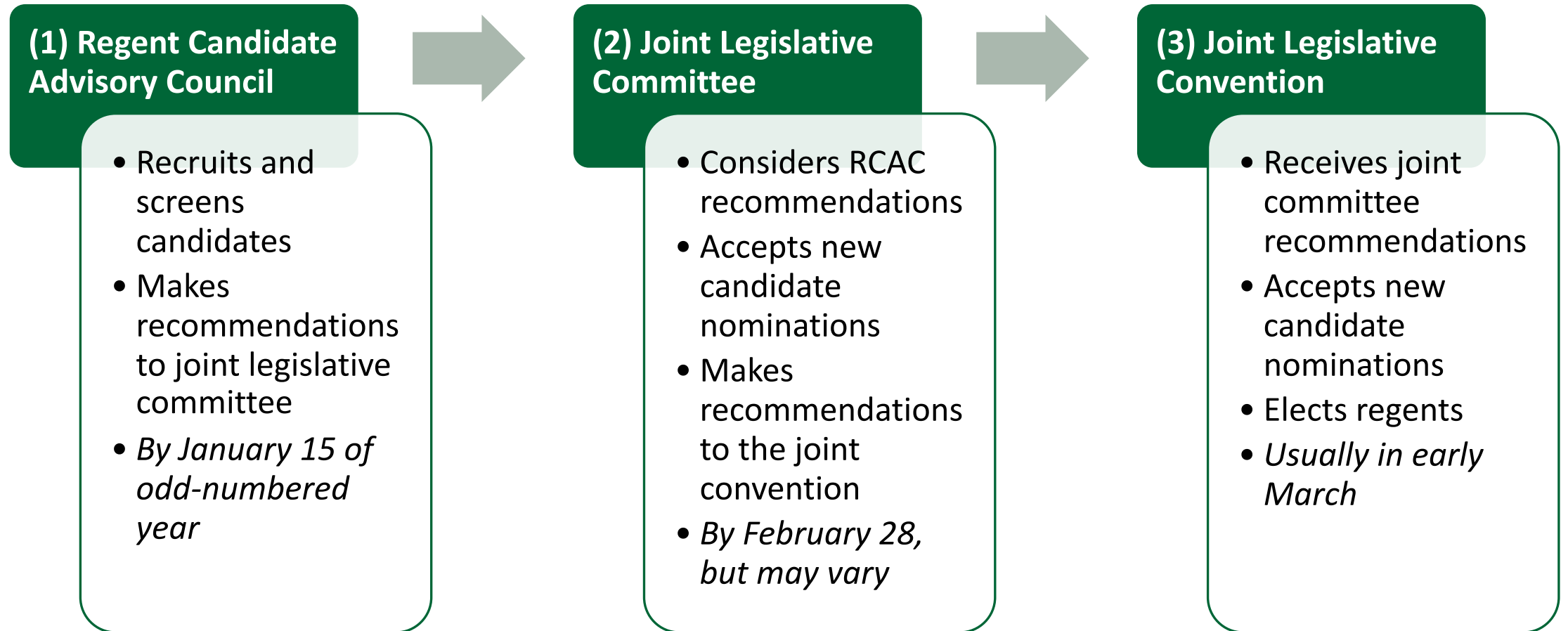
## Statute

1976 Laws c 120 §§ 1–2;  
Minn. Stat. §§ 137.023–024

- One member from each congressional district
  - Eight designated seats; four at-large seats
- One at-large seat must be a current university student



# Process Overview



# STAGE 1

---

## Regent Candidate Advisory Council (RCAC)

# RCAC: Purpose

---

- Created by law in 1989
- Perception that regent election was a partisan political reward
- Goals:
  - transparency
  - citizen input
  - professionalization / systematization / predictability
  - diversifying candidate pool
- Off-loads work from busy legislators

# RCAC: Duties

---

- Recruits candidates
- Screens candidates
- Makes nonbinding recommendations to the joint legislative committee (two-four candidates per vacancy)

Minn. Stat. § 137.0245, subd. 3–4

# RCAC: Composition

---

## 24 members

- Half appointed by Senate; half by the House
- Six-year terms (student members serve two-year terms)
  - Staggered so total of eight new appointees each even-numbered year
- Two term limit

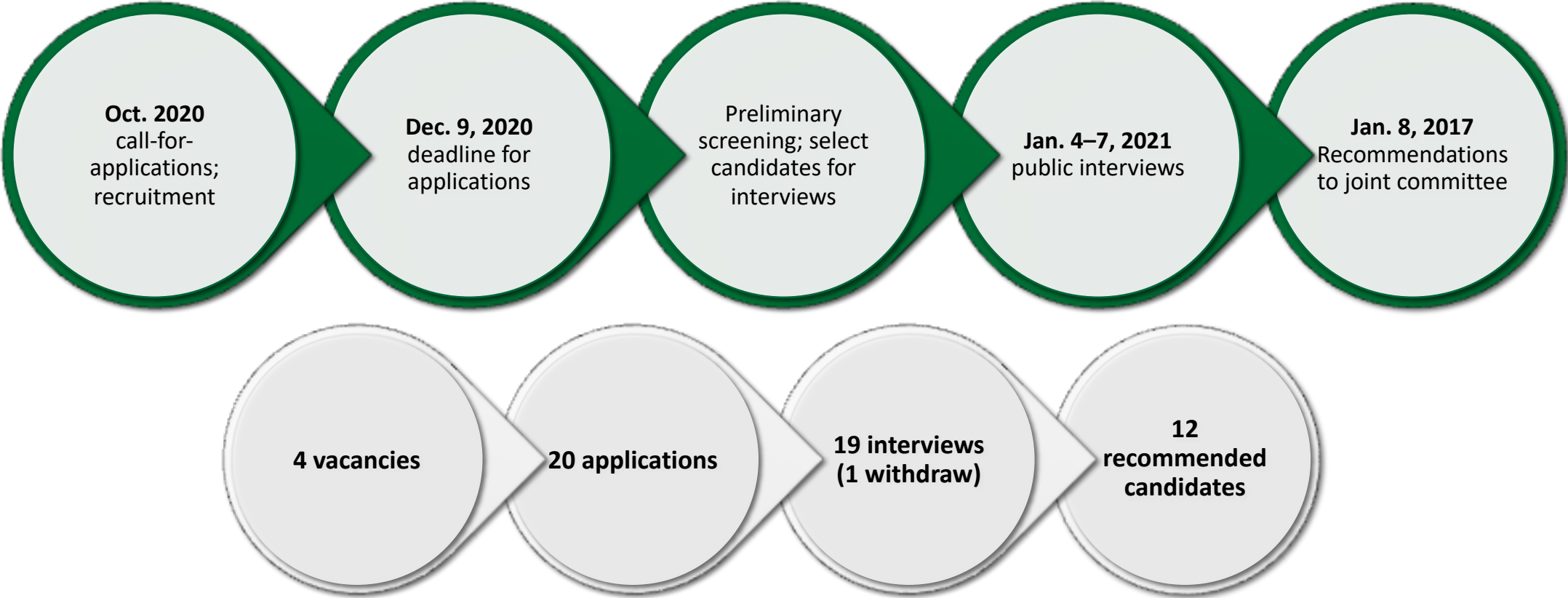
## For each chamber's 12 appointees:

- At least one current student
- No more than four current or former legislators
- No more than eight from the same political party
  - (but party affiliation not required for the appointment)
- Geographic diversity must be “taken into consideration”

Minn. Stat. § 137.0245, subd. 2

# RCAC: 2021 Results

Determined by RCAC procedures



# RCAC: 2021 Results

Determined by RCAC procedures

## CD1

- Val Aarsvold
- Ruth Johnson
- Randy Simonson\*

## CD4

- Daryl Alkire
- James Farnsworth
- Karen Schanfield

## CD6

- Dave Hoang
- Michael Hsu\*
- Kodi Verhalen

## CD7

- Doug Huebsch
- Lucas Sjostrom
- Michael Yost

\*Incumbent regent

# STAGE 2

---

## Joint Legislative Committee



# Joint Comm: Composition & Duties

## Composed of House and Senate higher ed. committees

- Co-chaired

## Meets by February 28

- or other date set by concurrent resolution

## Interviews candidates recommended by RCAC

## May accept new candidate nominations

- Only committee members can nominate
- New nominations require three House members, two Senate members

## Recommends candidates to joint convention

- No more than one candidate for each vacancy
- Requires majority of House members; majority of Senate members
- Must “consider” gender, racial, ethnic balance of board

Minn. Stat. § 137.0246;  
Joint Rule 4.01

# Joint Comm: 2021 Results

## CD1

- Val Aarsvold
- Ruth Johnson
- Randy Simonson\*

## CD4

- Daryl Alkire
- James Farnsworth
- Karen Schanfield

## CD6

- Dave Hoang
- Michael Hsu\*
- Kodi Verhalen

## CD7

- Doug Huebsch
- Lucas Sjostrom
- Michael Yost



Two recommendations:  
not ideal, but not unprecedented

\*Incumbent regent  
JLC recommendation

# STAGE 3

---

## Joint Legislative Convention

# Convention

---

Collect nominations for each open seat:

- Recommendations of joint committee are automatically nominated
- Any member of the Legislature may submit additional nominations

Viva voce roll-call vote on each congressional district seat, then student seats, then at-large seats

- Candidate receiving the majority of votes cast for the seat is elected
- Multiple votes may be necessary (lowest earner dropped)
- All votes count the same (sorry Senators)

# Convention: 2021 Results

## CD1

- Val Aarsvold
- Ruth Johnson
- Randy Simonson\*

## CD4

- Daryl Alkire
- James Farnsworth
- Karen Schanfield

## CD6

- Dave Hoang
- Michael Hsu\*
- Kodi Verhalen

## CD7

- Doug Huebsch
- Lucas Sjostrom
- Michael Yost

\*Incumbent regent

JLC recommendation

Floor nomination

# Convention: 2021 Results

CD1	CD4	CD6	CD7
<ul style="list-style-type: none"><li>• <u>Val Aarsvold</u></li><li>• Ruth Johnson</li><li>• Randy Simonson*</li></ul>	<ul style="list-style-type: none"><li>• <u>Daryl Alkire</u></li><li>• <u>James Farnsworth</u></li><li>• Karen Schanfield</li></ul>	<ul style="list-style-type: none"><li>• Dave Hoang</li><li>• <u>Michael Hsu*</u></li><li>• <u>Kodi Verhalen</u></li></ul>	<ul style="list-style-type: none"><li>• Doug Huebsch</li><li>• Lucas Sjostrom</li><li>• <u>Michael Yost</u></li></ul>

\*Incumbent regent

JLC recommendation

Floor nomination

---

# 2023 Elections

# 2023 Elections

*Johnson is 2022 Walz appointee after McMillan resigned to become interim chancellor at UMD*



**Darrin M. Rosha** >

**District:**

Congressional District 3

**Elected:** 1989, 2015, 2017

**Term Expires:** 2023

**Residence:** Independence



**Steven A.  
Sviggum** >

**District:**

Congressional District 2

**Elected:** 2011, 2017

**Term Expires:** 2023

**Residence:** Kenyon



**Kendall J. Powell** >

Chair of the Board

**District:** At-Large

**Elected:** 2017

**Term Expires:** 2023

**Residence:** Golden Valley



**Tadd M. Johnson** >

**District:**

Congressional District 8

**Elected:** 2022

**Term Expires:** 2023

**Residence:** Duluth



# 2023 Elections

---



- Irregular vacancy after Regent Kao Ly (“Ilean”) Her died in May 2021
- Governor Walz appoints Thao-Urabe in August 2021
- Legislature can act to fill this seat
- (RCAC is not actively recruiting for it)

## **Bo Thao-Urabe** >

**District:** At-Large

**Elected:** 2021

**Term Expires:** 2025\*

**Residence:** Eagan

# Questions?

---



Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives.

[www.house.mn/hrd](http://www.house.mn/hrd) | 651-296-6753 | State Office Building | St. Paul, MN 55155