

Memorandum

Date: September 14, 2021
To: Members of the Legislative Audit Commission
From: Michelle Weber, Executive Director, LCC
Subject: Updated Legislative Auditor Recruitment and Appointment Process, As Approved by the LAC

On Friday, August 20, 2021, Jim Nobles, Legislative Auditor, provided notification of his intent to retire effective Wednesday, October 6, 2021. The appointment of the legislative auditor is outlined in Minnesota Statutes 3.971, subdivision 1, the text of which is included below.

3.971 LEGISLATIVE AUDITOR.

Subdivision 1. **Appointment and term.** The legislative auditor is the executive secretary of the commission. The legislative auditor shall be appointed by the commission for a six-year term and serve in the unclassified service. When in office, the legislative auditor may not at any time hold any other public office. The legislative auditor may not be removed from office before the expiration of the term of service except for cause after public hearing.

This memo includes the process and timeline, as approved by the Legislative Audit Commission (LAC) on September 10, 2021, to appoint a new legislative auditor.

Estimated Timeline

September 13 – October 11	Position posting and application period
October 6	Interim auditor appointed, as approved by the LAC chair and vice chair
October 12 – October 15	Resume review and select candidates invited to first round interviews
October 18 – October 22	First round interviews conducted by nonpartisan staff
October 25 – October 26	Nonpartisan background review
October 27 – October 29	Second round interviews conducted by members of the LAC
November 1 – November 4	Reference and background checks
November 5 or November 8	LAC meeting to consider and determine finalist
November 9 or November 10	LAC meeting to make final appointment

Candidate Recruitment

Notice of the position will be posted to the LCC website as well as several other organizations, examples of which are included below:

1. State and local government sites and associations (e.g., Association of Minnesota Counties, League of Minnesota Cities)
2. National organizations and associations (e.g., NCSL, National Association of State Auditors, Comptrollers and Treasurers)
3. Hiring and recruitment sites (e.g., Indeed, LinkedIn)
4. Other entities and associations used to recruit candidates for other nonpartisan director level positions

In addition to public postings, internal announcements will be made within the House, Senate, and Joint Offices and Commissions requesting that individuals forward the opportunity to interested individuals.

Proposed Applicant Screening and Appointment Process

The proposed applicant screening and final appointment process will include multiple phases. Beginning with a review of applicant resumes and concluding with the appointment of a new legislative auditor.

Phase 1: Resume Review, First Round Interviews, and Nonpartisan Background Review

A panel comprised of nonpartisan staff from the House, Senate, and LCC will conduct a technical review of resumes to determine minimum qualifications have been met and identify candidates for first round interviews.

The resume review panel will conduct interviews with candidates and determine which candidates to recommend for advancement to a second interview with members of the LAC.

Prior to advancement of candidates to second round interviews, the LCC will work with nonpartisan House and Senate offices to conduct a review of candidates for partisan history/activities.

Phase 2: LAC Member Interviews, References, and Background Check

A four-member panel of the LAC, with representation from each caucus will privately interview candidates and determine which candidates to advance to the Legislative Audit Commission for consideration. Each caucus within each body will identify one individual to serve on the panel and one alternate who may also participate in the interviews. Each caucus will have one vote on which candidates to advance to the full LAC for consideration.

The LCC, working in partnership with House and Senate nonpartisan offices, will contact references for candidates recommended by LAC members to advance to the Legislative Audit Commission. A criminal background check will be conducted on candidates prior to advancement to the Legislative Audit Commission for consideration.

Phase 3: Legislative Audit Commission Consideration and Appointment of the Legislative Auditor

The LAC will hold a public meeting to consider finalists and determine which candidate to consider for final appointment.

The LAC will appoint the new Legislative Auditor to a six-year term at a public meeting of the commission.

Please feel free to contact me at michelle.weber@state.mn.us or (651)296-2963 if you have any questions.