

Memorandum

Date: September 9, 2021

To: Members of the Legislative Audit Commission

From: Michelle Weber, Executive Director, LCC

Subject: Legislative Auditor Recruitment and Appointment Process

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 a proposed process and timeline for consideration by the Legislative Audit Commission (LAC) to appoint a new legislative auditor. A draft position description and posting are included as attachments to this memo.

Estimated Timeline

September 13 – October 11

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

Position posting and application period

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 Executive Subcommittee meeting to consider and recommend finalists

November 9 or November 10 LAC meeting to consider finalists and 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 Executive Subcommittee 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 Executive Subcommittee. A criminal background check will be conducted on candidates prior to advancement to the Executive Subcommittee for consideration.

Phase 3: Executive Subcommittee Consideration and Appointment of the Legislative Auditor
The Executive Subcommittee will hold a public meeting to consider finalists and advance a recommendation to the full LAC.

The full LAC will meet to consider the recommendation from the Executive Subcommittee and finalize the appointment of the Legislative Auditor.

Enclosures: Legislative Auditor Position Description

Legislative Auditor Posting