

CHAPTER 299—H. F. No. 957

[Coded in Part]

An act relating to the organization and operation of state government; changing the name of the Department of Business Development to the Department of Economic Development; providing for the operation and maintenance of such department; making certain transfers of functions between departments and agencies; appropriating certain moneys; amending Minnesota Statutes 1965, Sections 15.19, Subdivision 1; 362.07; 362.08; 362.09; 362.10; 362.12, by adding a subdivision thereto; and 362.23; and Minnesota Statutes 1965, Chapter 362, by adding a section; repealing Minnesota Statutes 1965, Section 362.231.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 362.07, is amended to read:

362.07 Department of Economic Development; administration. There is hereby created and established a department of the state government to be designated and known as the Department of ~~Business~~ *Economic* Development, said department and all officials thereof to be subject to the provisions and limitations of sections 362.07 to 362.24.

Sec. 2. Minnesota Statutes 1965, Section 362.08, is amended to read:

362.08 Definitions. As used in sections 362.07 to 362.24, “department” means the department of ~~business economic~~ development, and “commissioner” means the commissioner of ~~business economic~~ development.

Sec. 3. Minnesota Statutes 1965, Section 362.09, is amended to read:

362.09 Commissioner; advisory commission. Subdivision 1. The department shall be under the supervision and control of a commissioner of ~~business economic~~ development, who shall be appointed by the governor, by and with the advice and consent of the senate *for a term to coincide with that of the governor but to serve at the pleasure of the governor.* He shall be chosen with regard to his knowledge, training, experience, and ability in administering the functions of the department. ~~He shall serve for a term of four years from the first Monday in January of the year of his appointment and until his successor is appointed and has qualified; or until He is removed by the governor for cause after notice and hearing.~~ In case

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

of a vacancy, the governor may appoint a commissioner for the unexpired term, who shall thereupon immediately take office and shall carry on all the duties of the office until the next session of the legislature, when his appointment shall be submitted to the senate for approval. The commissioner shall receive a salary of \$6,000 per year, payable semimonthly as provided by law. He shall give a bond to the state in the sum of \$10,000.

The commissioner shall appoint a deputy, fix his salary unless otherwise prescribed by law and define his duties. The deputy shall enjoy a confidential relationship with the commissioner and is in the unclassified service of the state.

Subd. 2. Subject to the provisions of applicable law the commissioner shall organize the department. He shall establish a division of tourist development, a division of industrial development and such other divisions as he may deem necessary to discharge the functions of his department. The division of industrial development shall consist of two bureaus (a) a bureau of rural development (b) a bureau of urban development and special services. He shall staff each division and bureau so as to best enable him to carry out his duties and responsibilities.

~~Subd. 2. 3. The governor shall appoint a commission of 15 members to act in an advisory capacity to the commissioner. In making such appointments the governor shall give reasonable representation to the various geographical areas and occupational groups of the state. A commission of 21 members to act in an advisory capacity to the commissioner is created. Members thereof shall be appointed by the governor, two from each congressional district and five from the state at large, for terms to coincide with the term of the governor. Vacancies on the commission for the unexpired term shall be filled by the appointing authority. The governor shall appoint the chairman of the commission. The commission shall organize and elect from among its members such other officers as it may deem necessary. The commission shall meet at the call of the chairman or the commissioner but not less than four times each year. Members of the commission shall serve without compensation but may be reimbursed for actual expenses incurred in accordance with rules and regulations relative to travel of state officers and employees pursuant to Minnesota Statutes, Section 16.02, Subdivision 20.~~

Subd. 4. The commissioner shall submit his biennial budget to the commission for review and comment. He shall also periodically seek the advice of the commission concerning the operation of the department. The commissioner shall also file an annual report of his

Changes or additions indicated by italics, deletions by strikeout.

activities with the commission on or before December 31 of each year and the report shall be a public record.

Sec. 4. Minnesota Statutes 1965, Section 362.10, is amended to read:

362.10 Functions. The department of ~~business economic~~ development shall encompass the following functions:

- (1) Research and statistics,
- (2) Publicity and promotion,
- (3) ~~Enforcement~~ *Promotion of the higher use of agricultural and forest lands, and*
- (4) Business, *economic* and industrial development services, and
- (5) *Promotion of tourism.*

Sec. 5. Minnesota Statutes 1965, Section 362.12, is amended by adding a subdivision to read:

Subd. 1a. Promotional contracts. In order to best carry out his duties and responsibilities and to serve the people of the state in the promotion of tourism and economic development the commissioner may engage in programs and projects jointly with a private person, firm, corporation or association and may enter into contracts under terms to be mutually agreed upon to carry out such programs and projects not including acquisition of land or buildings. Such contracts may be negotiated and shall not be subject to the provisions of Minnesota Statutes, Chapter 16, insofar as such provisions relate to competitive bidding.

Sec. 6. Minnesota Statutes 1965, Section 362.23, is amended to read:

362.23 Personnel. The commissioner may hire such personnel as is necessary to carry on the functions of the department. The commissioner may appoint to serve at his pleasure *in the unclassified service of the state civil service* a director of research, director of *publicity and promotion, a director of tourist development, a director of finance,* and a director of ~~business and~~ industrial development ~~services,~~ and may assign to them such duties as he desires. *Each director shall enjoy a confidential relationship with the commissioner.*

Sec. 7. Minnesota Statutes 1965, Section 15.19, Subdivision 1, is amended to read:

Changes or additions indicated by italics, deletions by ~~strikeout~~.

15.19 Imprest cash funds. Subdivision 1. **Emergency disbursements.** Imprest cash funds, not otherwise provided for by law, for the purpose of making minor emergency disbursements and providing change, may be established, from existing appropriations, for the following state departments and agencies, in amounts not exceeding the following limits:

Department or Agency	Limit
Division of Employment & Security	\$ 350.00
Department of Highways, Drivers' License Division	100.00
Secretary of State	1,100.00
Department of Taxation, Income Tax Division	1,500.00
Department of Public Welfare	300.00
Department of Conservation, Game and Fish Division	5,000.00
Department of Rural Credit	500.00
Minnesota Soldiers' Home Board	1,500.00
Mankato State College	500.00
Winona State College	500.00
Moorhead State College	500.00
Bemidji State College	500.00
St. Cloud State College	500.00
Commissioner of Administration	50.00
Department of Labor and Industry	500.00
Department of Education	100.00
<i>Department of Economic Development</i>	<i>1,000.00</i>

Sec. 8. Minnesota Statutes 1965, Chapter 362, is amended by adding a section to read:

[362.121] Imprest funds, use. *The commissioner of economic development may use the money in the imprest fund of his department in order to facilitate and expedite its business particularly in the making of advances of moneys to officers and employees of the department and members of the advisory commission for the purpose of defraying the expenses of travel, subsistence, and other similar expenses, and in meeting emergencies, and in accordance with such requirements therefor as may be prescribed by the state auditor. The imprest fund shall be reimbursed for all moneys advanced in the manner prescribed by the rules of the commissioner of administration.*

Sec. 9. *In the next and subsequent editions of Minnesota Statutes the revisor of statutes shall make such changes in terminology as are necessary to carry out the terms and provisions of this act.*

Changes or additions indicated by italics, deletions by ~~strikeout~~.

Sec. 10. *Minnesota Statutes 1965, Section 362.231, is hereby repealed.*

Sec. 11. *This act shall take effect upon enactment.*

Approved May 4, 1967.

CHAPTER 300—H. F. No. 1057

An act relating to wild animals; regulating the erection of fish houses; amending Minnesota Statutes 1965, Section 101.42, Subdivision 16.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 101.42, Subdivision 16, is amended to read:

Subd. 16. **Fish houses; distances separating.** Except as otherwise specifically permitted, it shall be unlawful to have on the ice on any waters of this state a dark house, fish house or shelter for the purpose of taking fish without the name and address of the owner plainly and legibly painted on the exterior in letters and figures at least three inches in height; to use a dark house, fish house or shelter for taking fish unless the door thereto is constructed so that it can be opened from the outside at all times when in use; or to permit any such structure to remain on the ice after February 28. *No person shall erect a dark house, fish house or shelter for taking fish within ten feet of a previously existing dark house, fish house or shelter for taking fish.* The commissioner may by order extend the time for such structures to remain on the ice on international boundary waters or any part thereof to a later date. Copies of such orders shall be conspicuously posted on the shores of the affected waters as the commissioner directs. Any such structures found or used on the ice in violation of any provision hereof may be seized and confiscated as provided by section 97.50, subdivision 5. It shall be the duty of every game warden to summarily confiscate and remove or destroy any such structure found on the ice after the time herein limited. The contents of any such structure left on the ice shall be seized by the game warden and held for a period of 60 days after which articles which have not been claimed by the owner may be retained for the use of the division or sold at the highest price obtainable in the manner prescribed by the commissioner. When angling in a dark house it shall be unlawful to have a spear within the interior of a dark house, fish house or shelter.

Changes or additions indicated by italics, deletions by ~~strikeout~~.