

"I ..... (grantor of power), hereby constitute and appoint .....  
..... (grantee of power), as my attorney in fact, to deposit or withdraw funds held  
in ..... (name of bank), in account No. .... .

Dated:

Acknowledgment: In the presence of ..... (an authorized  
person), ..... (name of financial institution)."

The power so granted is subject to the provisions of section 528.16 sections  
3 to 27.

**Sec. 29. REPEALER.**

Minnesota Statutes 1982, sections 51A.25; 507.291; 507.292; 507.293;  
507.294; 507.39; 524.5-501; 524.5-502; and 528.16, are repealed.

Approved April 26, 1984

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**CHAPTER 604 — S.F.No. 1826**

*An act relating to state government; specifying authority of the governor; specifying  
powers and duties of the commissioner of the department of energy and economic develop-  
ment; providing services for small businesses; amending Minnesota Statutes 1982, sections  
116J.67, subdivision 8; 116J.68; Minnesota Statutes 1983 Supplement, sections 116J.10;  
116J.61; proposing new law coded in Minnesota Statutes, chapter 116J.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1983 Supplement, section 116J.10, is  
amended to read:

**116J.10 POWERS.**

The commissioner may:

(a) Adopt rules pursuant to chapter 14 as necessary to carry out the  
purposes of sections 116J.05 to 116J.30 and, when necessary for the purposes of  
section 116J.15, adopt temporary rules pursuant to sections 14.29 to 14.36;

(b) make all contracts pursuant to sections 116J.05 to 116J.30 and do all  
things necessary to cooperate with the United States government, and to qualify  
for, accept and disburse any grant intended for the administration of sections  
116J.05 to 116J.30. Notwithstanding any other law the commissioner is desig-  
nated the state agent to apply for, receive and accept federal or other funds made  
available to the state for the purposes of sections 116J.05 to 116J.30;

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(e) contract for professional services if such work or services cannot be satisfactorily performed by employees of the department or by any other state agency;

(d) enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) distribute informational material at no cost to the public upon reasonable request;

(f) (c) provide on-site technical assistance to units of local government in order to enhance local capabilities for dealing with energy problems;

(g) (d) administer for the state, energy programs pursuant to federal law, regulations or guidelines, except for the crisis fuel assistance and low income weatherization programs administered by the department of economic security, and coordinate the programs and activities with other state agencies, units of local government and educational institutions;

(h) (e) design and administer a statewide program for the energy and economic development authority and actively involve major organizations and community leaders in its work and shall solicit funds from all sources;

(i) (f) develop a state energy investment plan with yearly energy conservation and alternative energy development goals, investment targets, and marketing strategies;

(j) (g) perform market analysis studies relating to conservation, alternative and renewable energy resources, and energy recovery;

(k) (h) assist with the preparation of proposals for innovative conservation, renewable, alternative, or energy recovery projects;

(l) (i) manage and disburse funds made available for the purpose of research studies or demonstration projects related to energy conservation or other activities deemed appropriate by the commissioner; and

(m) (j) intervene in certificate of need proceedings before the public utilities commission.

## Sec. 2. [116J.035] DUTIES AND POWERS OF COMMISSIONER; RULES.

### Subdivision 1. POWERS. The commissioner may:

(a) apply for, receive, and expend money from municipal, county, regional, and other government agencies;

(b) apply for, accept, and disburse grants and other aids from other public or private sources;

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(c) contract for professional services if such work or services cannot be satisfactorily performed by employees of the department or by any other state agency;

(d) enter into interstate compacts to jointly carry out such research and planning with other states or the federal government where appropriate;

(e) distribute informational material at no cost to the public upon reasonable request; and

(f) enter into contracts necessary for the performance of his duties with federal, state, regional, metropolitan, local, and other agencies or units of government; educational institutions, including the University of Minnesota. Contracts made pursuant to this section shall not be subject to the competitive bidding requirements of chapter 16.

The commissioner may apply for, receive, and expend money made available from federal or other sources for the purpose of carrying out the duties and responsibilities of the commissioner pursuant to this chapter.

All moneys received by the commissioner pursuant to this chapter shall be deposited in the state treasury and are appropriated to the commissioner for the purpose for which the moneys have been received. The money shall not cancel and shall be available until expended.

Subd. 2. RULES. The commissioner may adopt rules pursuant to chapter 14 as necessary to carry out his duties and responsibilities pursuant to this chapter.

Sec. 3. Minnesota Statutes 1983 Supplement, section 116J.61, is amended to read:

#### **116J.61 ADDITIONAL POWERS AND DUTIES.**

The commissioner shall:

(1) have control of the work of carrying on a continuous program of education for businessmen;

(2) publish, disseminate, and distribute information and statistics;

(3) promote and encourage the expansion and development of markets for Minnesota products;

(4) promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose cooperate with state and local agencies and individuals, both within and outside the state;

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(5) advertise and disseminate information as to natural resources, desirable locations, and other advantages for the purpose of attracting business to locate in this state;

(6) aid the various communities in this state in getting business to locate therein;

(7) advise and cooperate with municipal, county, regional, and other planning agencies and planning groups within the state for the purpose of promoting coordination between the state and localities as to plans and development in order to maintain a high level of gainful employment in private profitable production and achieve commensurate advancement in social and cultural welfare; coordinate the activities of state-wide and local planning agencies, correlate information secured from them and from state departments and disseminate information and suggestions to the planning agencies; and encourage and assist in the organization and functioning of local planning agencies where none exist; and may provide at the request of any governmental subdivision hereinafter mentioned planning assistance, which includes but is not limited to surveys, land use studies, urban renewal plans, technical services and other planning work to any city or other municipality in the state or perform similar planning work in any county, metropolitan or regional area in the state. The commissioner shall not perform the planning work with respect to a metropolitan or regional area which is under the jurisdiction for planning purposes of a county, metropolitan, regional or joint planning body, except at the request or with the consent of the respective county, metropolitan, regional or joint planning body. The commissioner is authorized to receive and expend money from municipal, county, regional and other planning agencies; and may accept and disburse grants and other aids for planning purposes from the federal government and from other public or private sources, and may utilize moneys so received for the employment of consultants and other temporary personnel to assist in the supervision or performance of planning work supported by money other than state appropriated money, and may enter into contracts with agencies of the federal government, units of local government or combinations thereof, and with private persons that are necessary in the performance of the planning assistance function of the commissioner. The commissioner may assist any local government unit in filling out application forms for the federal grants-in-aid. In furtherance of their planning functions, any city or town, however organized, may expend money and contract with agencies of the federal government, appropriate departments of state government, other local units of government and with private persons; and

(8) adopt measures calculated to promote public interest in and understanding of the problems of planning and, to that end, may publish and distribute copies of any plan or any report and may employ other means of publicity and education that will give full effect to the provisions of sections 116J.58 to 116J.63.

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Sec. 4. Minnesota Statutes 1982, section 116J.67, subdivision 8, is amended to read:

Subd. 8. **REVOLVING FUND.** The certified state development company may charge a one time processing fee up to the maximum allowed by the small business administration on a debenture issued for loan purposes. In addition, a fee for servicing loans may be imposed up to the maximum allowed by the small business administration based on the unpaid balance of each debenture. There is established a program of business services revolving fund in the state treasury. Proceeds from fees collected on loans processed with assistance from department staff shall be deposited in the program of business services revolving fund. Moneys in the fund are appropriated to the commissioner of energy, planning and development for the purposes of this section. There is created in the state treasury a dedicated fund to receive these fees and into which these fees shall be deposited. Moneys in the dedicated fund are appropriated to the commissioner of energy and economic development to pay the costs of administration of the program, compensate members of the board of directors pursuant to section 15.0575, subdivision 3, and to create and operate a pool of funds for investment in projects which further the purposes of this section.

Sec. 5. Minnesota Statutes 1982, section 116J.68, is amended to read:

**116J.68 BUREAU OF SMALL BUSINESS.**

Subdivision 1. The bureau of small business within the business assistance center shall serve as a clearinghouse and referral service for information needed by small businesses including those operated by a socially or economically disadvantaged person.

Subd. 2. The bureau shall:

(a) Plan, promote, coordinate and execute activities of concern to the bureau of small business provide information and assistance with respect to all aspects of business planning and business management related to the start-up, operation, or expansion of a small business in Minnesota;

(b) Plan, direct and evaluate all management and technical assistance programs to insure an efficient and effective delivery of services to the small business community refer persons interested in the start-up, operation, or expansion of a small business in Minnesota to assistance programs sponsored by federal agencies, state agencies, educational institutions, chambers of commerce, civic organizations, community development groups, private industry associations, and other organizations;

(c) Determine and establish annual goals by implementing reporting requirements essential to the continual evaluation of the bureau of small business, and report each biennium to the appropriate legislative committees the results of the evaluation plan, develop, and implement a master file of information on small

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business assistance programs of federal, state, and local governments, and other public and private organizations so as to provide comprehensive, timely information to the bureau's clients;

(d) Maintain a close and continued relationship with the director of the procurement program within the department of administration employ staff with adequate and appropriate skills and education and training for the delivery of information and assistance;

(e) Plan, coordinate and execute an up-to-date master file system that lists all assistance programs for small businesses from federal, state, non-governmental agencies, chambers of commerce, educational institutions, civic organizations and private industry seek out and utilize, to the extent practicable, contributed expertise and services of federal, state, and local governments, educational institutions, and other public and private organizations; and

(f) Develop an information system, with due regard to privacy statutes, which will enable the commissioner and other state agencies to efficiently store, retrieve, analyze and exchange data regarding business development and growth in the state maintain a close and continued relationship with the director of the procurement program within the department of administration so as to facilitate the department's duties and responsibilities under sections 16.083 to 16.086 relating to the small business set aside program of the state;

(g) develop an information system which will enable the commissioner and other state agencies to efficiently store, retrieve, analyze, and exchange data regarding small business development and growth in the state. All executive branch agencies of state government and the secretary of state shall to the extent practicable, assist the bureau in the development and implementation of the information system;

(h) establish and maintain a toll free telephone number so that all small business persons anywhere in the state can call the bureau office for assistance. An outreach program shall be established to make the existence of the bureau well known to its potential clientele throughout the state;

(i) conduct research and provide data as required by state legislature;

(j) develop and publish material on all aspects of the start-up, operation, or expansion of a small business in Minnesota;

(k) collect and disseminate information on state procurement opportunities, including information on the procurement process;

(l) develop a public awareness program through the use of newsletters, personal contacts, and electronic and print news media advertising about state assistance programs for small businesses, including those programs specifically for socially disadvantaged small business persons;

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(m) publicize to small businesses the provisions of Laws 1983, chapter 188, requiring consideration of small business issues in state agency rulemaking.

Subd. 3. The bureau may be assisted by small business assistance specialists. The specialists may provide information to small businesses concerning programs, functions, services, location and contact points of all educational institutions, chambers of commerce, civic organizations, private industrial associations and federal, state and local government agencies located or operating in the state with respect to small business activities.

A toll free telephone number shall be established so that all small business persons anywhere in the state can call the bureau office for assistance. An outreach program shall be established to make the existence of the bureau well known to its potential clientele throughout the state.

Subd. 4. Except as otherwise provided in this section, the responsibilities of the bureau of small business may include the following:

(a) Providing information and assistance with respect to laws, rules and regulations, forms, licenses and financing to persons who want to start or already operate a small business;

(b) Referring persons who want to start or already operate a small business to assistance programs sponsored by federal agencies, state agencies, educational institutions, chambers of commerce, civic organizations, community development groups, and private industry associations;

(c) Conducting research and providing data required by the state legislature;

(d) Developing and publishing materials on small business laws, rules and regulations, potential financing, licenses and other programs offered by federal, state and local agencies, non-governmental agencies and private sources;

(e) Collecting and disseminating information on state contracts, including the policies and procedures to submit bids for state contracts; and

(f) Developing a public awareness program through the use of newsletters, personal contacts, and electronic and print news media advertising state assistance programs for small businesses, including those programs specifically for socially disadvantaged small business persons.

#### Sec. 6. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved April 26, 1984

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