

CHAPTER 312—S.F.No. 1203

An act relating to state government; reorganizing the department of agriculture, the department of energy and economic development, and the department of public service, and providing for the powers and duties of the three departments; changing the name of the department of energy and economic development to the department of trade and economic development; designating the department of jobs and training as the administrative agency for certain juvenile justice and delinquency prevention purposes; providing grants for youth intervention programs; creating the Minnesota world trade center corporation and providing for its powers and duties; changing the membership of the world trade center board; authorizing the board to contract for certain services and programs; establishing the conference and service facility fund; appropriating money; amending Minnesota Statutes 1986, sections 17.03, by adding a subdivision; 17.101, subdivision 1; 18.023, subdivision 11; 18.024, subdivision 1; 43A.08, subdivision 1; 44A.01; 44A.02; 44A.031; 104.35, subdivisions 2 and 3; 115A.12, subdivision 2; 116C.03, subdivision 2; 116J.01; 116J.03; 116J.58, subdivision 2; 116J.60; and 116J.63, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 44A; 116J; 236A; and 268; proposing coding for new law as Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 1986, sections 4.09; 17.03, subdivision 5; 44A.03; 44A.04; 44A.05; 44A.07; 116J.404; and 116J.405.

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

ARTICLE 1

ENERGY

Section 1. Minnesota Statutes 1986, section 18.023, subdivision 11, is amended to read:

Subd. 11. **REPORT TO THE LEGISLATURE.** On or before January 31 of each year, the commissioner shall report to the legislature on the preceding year's approved disease control programs and any experimental programs conducted pursuant to subdivision 10a. The commissioner, with the assistance of the commissioner of energy trade and economic development and the director of public service, shall investigate and evaluate the potential uses of wood infected with shade tree disease, including the uses as an alternative energy source and as a component in the construction or manufacture of new products.

Sec. 2. Minnesota Statutes 1986, section 18.024, subdivision 1, is amended to read:

Subdivision 1. The department of agriculture, in cooperation with the commissioner of energy trade and economic development, the director of public service, and the Minnesota shade tree advisory committee, shall draft recommendations for wood utilization or disposal systems as defined in section 18.023. These recommendations shall encourage maximum utilization of diseased shade

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trees. In addition to insuring maximum utilization, the recommendations ~~shall~~ must be designed to insure public safety and to assure compliance with approved disease control programs.

Sec. 3. Minnesota Statutes 1986, section 104.35, subdivision 2, is amended to read:

Subd. 2. The commissioner shall make the proposed management plan available to affected local governmental bodies, shoreland owners, conservation and outdoor recreation groups, the commissioner of energy trade and economic development, the director of public service, the governor, and the general public. The commissioner of energy trade and economic development, the director of public service, and the governor shall review the proposed management plan ~~pursuant to~~ in accordance with the criteria ~~specified~~ in section 86A.09, subdivision 3, and submit any written comments to the commissioner within 60 days after receipt of the proposed management plan. Not less than 60 days after making such information available, the commissioner shall conduct a public hearing on the proposed management plan in the county seat of each county ~~which~~ that contains a portion of the designated area, in the manner provided in chapter 14.

Sec. 4. Minnesota Statutes 1986, section 104.35, subdivision 3, is amended to read:

Subd. 3. Upon receipt of the administrative law judge's report, the commissioner shall immediately forward the proposed management plan and the administrative law judge's report to the commissioner of energy trade and economic development and the director of public service for review ~~pursuant to~~ under section 86A.09, subdivision 3, except that the review by the commissioner of energy trade and economic development ~~shall~~ and the director of public service must be completed or be deemed completed within 30 days after receiving the administrative law judge's report, and the review by the governor ~~shall~~ must be completed or be deemed completed within 15 days after receipt. Within 60 days after receipt of the administrative law judge's report, the commissioner shall decide whether to designate by order the river or a segment ~~thereof~~ of the river as a wild, scenic, or recreational river and, if so designated, shall adopt a management plan to govern the area. The commissioner shall notify and inform public agencies and private landowners of the plan and its purposes so as to encourage their cooperation in the management and use of their land in a manner consistent with the plan and its purposes.

Sec. 5. Minnesota Statutes 1986, section 115A.12, subdivision 2, is amended to read:

Subd. 2. **TECHNICAL ADVISORY COUNCIL.** The chair of the board shall establish an interagency technical advisory council to advise the board and the chair on matters the board, through its chair, deems necessary. The members of the council ~~shall be~~ are the commissioner of health; the commissioner of agriculture; the commissioner of natural resources; the director of the pollution

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control agency; the commissioner of energy trade and economic development; the director of public service; other heads of agency the chair of the board deems necessary; or their designees. The council shall meet at the call of the chair of the board, who shall serve as chair of the council. The members, collectively and individually shall advise the board and the chair on matters within their various areas of expertise and shall provide technical assistance and information as requested by the board through its chair.

Sec. 6. Minnesota Statutes 1986, section 116C.03, subdivision 2, is amended to read:

Subd. 2. ~~The board shall include as members of the board~~ are the director of the state planning agency, the director of public service, the director of the pollution control agency, the commissioner of natural resources, the commissioner of agriculture, the commissioner of health, the commissioner of transportation, and a representative of the governor's office designated by the governor. The governor shall appoint five members from the general public to the board, subject to the advice and consent of the senate. At least two of the five public members ~~shall~~ must have knowledge of and be conversant in water management issues in the state.

Sec. 7. **[216C.01] DEFINITIONS.**

Subdivision 1. APPLICABILITY. The definitions in this section apply to section 8 and those sections renumbered by section 10.

Subd. 2. DIRECTOR. "Director" means the director of the department of public service.

Subd. 3. DEPARTMENT. "Department" means the department of public service.

Sec. 8. **[216C.02] POWERS AND DUTIES OF DIRECTOR; RULES.**

Subdivision 1. POWERS. The director may:

(1) apply for, receive, and spend money received from federal, municipal, county, regional, and other government agencies and private sources;

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

(3) contract for professional services if work or services required or authorized to be carried out by the director cannot be satisfactorily performed by employees of the department or by another state agency;

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

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

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(6) enter into contracts for the performance of the director's duties with federal, state, regional, metropolitan, local, and other agencies or units of government and educational institutions, including the University of Minnesota, without regard to the competitive bidding requirements of chapters 16A and 16B.

Subd. 2. APPROPRIATION. Money received by the director under this section must be deposited in the state treasury and is appropriated to the director for the purpose for which the money has been received. The money appropriated by this subdivision does not cancel and is available until expended. This appropriation does not apply to money resulting from litigation or settlements of alleged violations of federal petroleum pricing regulations.

Subd. 3. RULES. The director may adopt rules under chapter 14 to carry out the director's duties and responsibilities under this section and those sections renumbered by section 10.

Sec. 9. FUNCTIONS TRANSFERRED; ENERGY DIVISION ESTABLISHED.

The functions of the department of energy and economic development energy division are transferred from that division to the public service department and are placed under the jurisdiction and control of the director of public service. The energy division is established within the department of public service. The division shall administer the duties and functions assigned to it by law.

Sec. 10. INSTRUCTION TO REVISOR.

Subdivision 1. The revisor of statutes shall renumber the section of Minnesota Statutes specified in column A with the corresponding number in column B. The revisor shall make necessary cross-reference changes consistent with the renumbering.

In the statutes listed below, the revisor of statutes shall also change all references to "commissioner" or "commissioner of the department of energy and economic development" in the statutes specified in column A to "director" and all references to "department of energy and economic development" to "department."

<u>Column A</u>	<u>Column B</u>
<u>116J.04</u>	<u>216C.04</u>
<u>116J.05</u>	<u>216C.05</u>
<u>116J.06</u>	<u>216C.06</u>
<u>116J.07</u>	<u>216C.07</u>
<u>116J.08</u>	<u>216C.08</u>
<u>116J.09</u>	<u>216C.09</u>
<u>116J.10</u>	<u>216C.10</u>
<u>116J.11</u>	<u>216C.11</u>
<u>116J.12</u>	<u>216C.12</u>
<u>116J.13</u>	<u>216C.13</u>

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

<u>116J.14</u>	<u>216C.14</u>
<u>116J.15</u>	<u>216C.15</u>
<u>116J.16</u>	<u>216C.16</u>
<u>116J.17</u>	<u>216C.17</u>
<u>116J.18</u>	<u>216C.18</u>
<u>116J.19</u>	<u>216C.19</u>
<u>116J.20</u>	<u>216C.20</u>
<u>116J.21</u>	<u>216C.21</u>
<u>116J.22</u>	<u>216C.22</u>
<u>116J.23</u>	<u>216C.23</u>
<u>116J.24</u>	<u>216C.24</u>
<u>116J.25</u>	<u>216C.25</u>
<u>116J.26</u>	<u>216C.26</u>
<u>116J.261</u>	<u>216C.261</u>
<u>116J.262</u>	<u>216C.262</u>
<u>116J.27</u>	<u>216C.27</u>
<u>116J.29</u>	<u>216C.29</u>
<u>116J.30</u>	<u>216C.30</u>
<u>116J.31</u>	<u>216C.31</u>
<u>116J.315</u>	<u>216C.315</u>
<u>116J.32</u>	<u>216C.32</u>
<u>116J.33</u>	<u>216C.33</u>
<u>116J.34</u>	<u>216C.34</u>
<u>116J.35</u>	<u>216C.35</u>
<u>116J.373</u>	<u>216C.373</u>
<u>116J.38</u>	<u>216C.38</u>
<u>116J.381</u>	<u>216C.381</u>

Subd. 2. The revisor of statutes shall change all references to the "commissioner of energy and economic development" or the "commissioner" (meaning the commissioner of energy and economic development) to the "director of public service" or the "director" in the statutes listed below:

13.68
325F.19
325F.20
325F.21
325F.22
325F.23
325F.24
16B.56, subd. 1
115A.15
126.111
174.03, subd. 7

Sec. 11. Minnesota Statutes 1986, section 17.03, is amended by adding a subdivision to read:

Subd. 6. COOPERATION WITH MINNESOTA TRADE DIVISION.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

The commissioner of agriculture, the commissioner of trade and economic development, and the director of the Minnesota trade division shall cooperate with each other to promote the beneficial agricultural interests of the state. The commissioner of trade and economic development and the director of the Minnesota trade division have primary responsibility for promoting state agricultural interests to international markets. The commissioner of trade and economic development and the director of the Minnesota trade division are also responsible for the promotion of national trade programs related to international marketing. The commissioner of agriculture has primary responsibility for promoting the agriculture interests of producers, promoting state agricultural markets, and promoting agricultural interests of the state in cooperative production and marketing efforts with other states and the United States Department of Agriculture. The commissioner of agriculture is also responsible for promoting the national marketing of state agricultural products.

Sec. 12. Minnesota Statutes 1986, section 17.101, subdivision 1, is amended to read:

~~Subdivision 1.~~ **DEPARTMENTAL DUTIES.** For the purposes of expanding, improving, and developing the markets for products of Minnesota agriculture, the commissioner shall encourage and promote the marketing of these products by means of:

- (a) advertising Minnesota agricultural products;
- (b) assisting state agricultural commodity organizations;
- (c) developing methods to increase processing and marketing of agricultural commodities including commodities not being produced in Minnesota on a commercial scale, but which may have economic potential in national and international markets;
- (d) investigating and identifying new marketing technology and methods to enhance the competitive position of Minnesota agricultural products;
- (e) evaluating livestock marketing opportunities;
- (f) assessing and developing national and international markets for Minnesota agricultural products;
- (g) studying the conversion of raw agricultural products to manufactured products including ethanol;
- (h) hosting the visits of foreign trade teams to Minnesota and defraying the teams' expenses;
- (i) assisting Minnesota agricultural businesses desiring to sell their products ~~in national and international markets;~~ and
- (j) other activities the commissioner deems appropriate to promote Minnesota agricultural products ~~in national and international markets,~~ provided that the activities do not duplicate programs or services provided by the Minnesota trade division or the Minnesota world trade center corporation.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 13. Minnesota Statutes 1986, section 43A.08, subdivision 1, is amended to read:

Subdivision 1. **UNCLASSIFIED POSITIONS.** Unclassified positions are held by employees who are:

(a) Chosen by election or appointed to fill an elective office;

(b) Heads of agencies required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, bureaus, divisions and institutions specifically established by law in the unclassified service;

(c) Deputy and assistant agency heads, and one confidential secretary in the agencies listed in subdivision 1a;

(d) The confidential secretary to each of the elective officers of this state and, for the secretary of state, state auditor, and state treasurer, an additional deputy, clerk, or employee;

(e) Intermittent help employed by the commissioner of public safety to assist in the issuance of vehicle licenses;

(f) Employees in the offices of the governor and of the lieutenant governor, and one confidential employee for the governor in the office of the adjutant general;

(g) Employees of the Washington, D.C., office of the state of Minnesota;

(h) Employees of the legislature and of legislative committees or commissions; provided that employees of the legislative audit commission, except for the legislative auditor, the deputy legislative auditors, and their confidential secretaries, shall be employees in the classified service;

~~(h)~~ (i) Presidents, vice presidents, deans, other managers and professionals in academic and academic support programs, administrative or service faculty, teachers, research assistants and student employees eligible under terms of the federal economic opportunity act work study program in the state universities and community colleges. ~~This paragraph shall, but not be construed to include the custodial, clerical, or maintenance employees, or any professional or managerial employee performing duties in connection with the business administration of these institutions.~~

~~(h)~~ (j) Officers and enlisted persons in the national guard;

~~(j)~~ (k) Attorneys, legal assistants, examiners, and three confidential employees appointed by the attorney general or employed with the attorney general's authorization;

~~(k)~~ (l) Judges and all employees of the judicial branch, referees, receivers,

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jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(~~h~~) (m) Members of the state patrol; provided that selection and appointment of state patrol troopers shall be made in accordance with applicable laws governing the classified service;

(~~m~~) (n) Chaplains employed by the state;

(~~n~~) (o) Examination monitors and intermittent training instructors employed by the departments of employee relations and commerce;

(~~o~~) (p) Student workers; and

(~~p~~) (q) Employees unclassified pursuant to other statutory authority.

Sec. 14. Minnesota Statutes 1986, section 116J.01, is amended to read:

116J.01 DEPARTMENT OF ~~ENERGY~~ TRADE AND ECONOMIC DEVELOPMENT.

Subdivision 1. **APPOINTMENT.** The department of ~~energy trade~~ and economic development ~~shall be~~ is supervised and controlled by the commissioner of ~~energy trade~~ and economic development, who ~~shall be~~ is appointed by the governor and ~~serve~~ serves under the ~~provisions~~ of section 15.06.

Subd. 2. **CONFIDENTIAL SECRETARY.** The commissioner may appoint a confidential secretary in the unclassified service.

Subd. 3. **DEPARTMENTAL ORGANIZATION.** The commissioner shall organize the department as provided in section 15.06. The department ~~shall~~ must be organized into ~~four~~ three divisions, ~~which shall be~~ designated as the ~~energy business promotion and marketing division, the community development division, the economic development division, and the financial management division;~~ and the Minnesota trade division, and two offices, the office of tourism and the policy analysis office. Each division and office ~~is responsible for administering~~ shall administer the duties and functions assigned to it by law. When the duties of the divisions or office are not allocated by law, the commissioner may establish and revise the assignments of each division and office. Each division ~~shall be~~ is under the direction of a deputy commissioner in the unclassified service. The deputy commissioner of the Minnesota trade division must be experienced and knowledgeable in matters of international trade.

~~The~~ Each office of ~~tourism~~ is under the direction of a director of ~~tourism~~ in the unclassified service. ~~The governor shall appoint the director of tourism.~~

Sec. 15. Minnesota Statutes 1986, section 116J.03, is amended to read:

116J.03 DEFINITIONS.

Subdivision 1. **SCOPE.** As used in chapter 116J, the terms defined in this section have the meaning given them.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. **COMMISSIONER.** "Commissioner" means the commissioner of energy trade and economic development.

Subd. 3. **DEPARTMENT.** "Department" means the department of energy trade and economic development.

Sec. 16. Minnesota Statutes 1986, section 116J.58, subdivision 2, is amended to read:

Subd. 2. **PROMOTIONAL CONTRACTS.** In order to best carry out duties and responsibilities and to serve the people of the state in the promotion of tourism, trade, 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 are not be subject to the provisions of chapter ~~16~~, insofar as such provisions relate 16B relating to competitive bidding.

Sec. 17. Minnesota Statutes 1986, section 116J.60, is amended to read:

116J.60 PROMOTIONAL EXPENSES.

In the promotion of tourism, trade, and economic development of the state, the commissioner of energy trade and economic development may expend money appropriated by the legislature for these purposes in the same manner as private persons, firms, corporations, and associations make expenditures for these purposes. An expenditure for food, lodging, or travel is not governed by the travel rules of the commissioner of employee relations. No money shall be expended for the appearance in radio or television broadcasts by an elected public official.

Sec. 18. **[116J.613] WASHINGTON OFFICE.**

The commissioner may appoint employees in the Washington, D.C., office of the state of Minnesota in accordance with chapter 43A, and prescribe their duties.

In the operation of the Washington, D.C., office of the state of Minnesota, the commissioner may expend money appropriated by the legislature for promotional purposes in the same manner as private persons, firms, corporations, and associations expend money for promotional purposes. Promotional expenditures for food, lodging, or travel are not governed by the travel rules of the commissioner of employee relations.

Sec. 19. Minnesota Statutes 1986, section 116J.63, subdivision 2, is amended to read:

Subd. 2. ~~The commissioner shall recommend a schedule of fees pursuant to section 16A.128 to be charged for these materials and for services rendered by the department in furnishing them. Fees for reports, publications, or related~~

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publicity or promotional material are not subject to the rulemaking requirements of chapter 14 and are not subject to sections 16A.128 and 16A.1281. The fees prescribed by the commissioner ~~shall~~ must be commensurate with the distribution objective of the department for the material produced or with the cost of furnishing the services. All fees for materials and services ~~shall~~ must be deposited in the general fund.

Sec. 20. [116J.966] COMMISSIONER'S TRADE PROMOTION DUTIES.

Subdivision 1. GENERALLY. (a) The commissioner shall promote, develop, and facilitate trade and foreign investment in Minnesota. In furtherance of these goals, and in addition to the powers granted by section 116J.035, the commissioner may:

(1) locate, develop, and promote international markets for Minnesota products and services;

(2) arrange and lead trade missions to countries with promising international markets for Minnesota goods, technology, services, and agricultural products;

(3) promote Minnesota products and services at domestic and international trade shows;

(4) organize, promote, and present domestic and international trade shows featuring Minnesota products and services;

(5) host trade delegations and assist foreign traders in contacting appropriate Minnesota businesses and investments;

(6) develop contacts with Minnesota businesses and gather and provide information to assist them in locating and communicating with international trading or joint venture counterparts;

(7) provide information, education, and counseling services to Minnesota businesses regarding the economic, commercial, legal, and cultural contexts of international trade;

(8) provide Minnesota businesses with international trade leads and information about the availability and sources of services relating to international trade, such as export financing, licensing, freight forwarding, international advertising, translation, and custom brokering;

(9) locate, attract, and promote foreign investment and business development in Minnesota to enhance employment opportunities in Minnesota;

(10) provide foreign businesses and investors desiring to locate facilities in Minnesota information regarding sources of governmental, legal, real estate, financial, and business services;

(11) undertake activities to support the world trade center; and

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(12) enter into contracts or other agreements with private persons and public entities to carry out the purposes of promoting international trade and attracting investment from foreign countries to Minnesota and to carry out this section, without regard to sections 16B.07 and 16B.09.

(b) The programs and activities of the commissioner of trade and economic development and the Minnesota trade division may not duplicate programs and activities of the commissioner of agriculture or the Minnesota world trade center corporation.

Subd. 2. AGRICULTURAL PROMOTION. The commissioner of agriculture, the commissioner of trade and economic development, and the director of the Minnesota trade division shall cooperate with each other to promote the beneficial agricultural interests of the state. The commissioner of trade and economic development and the director of the Minnesota trade division have primary responsibility for promoting state agricultural interests to international markets. The commissioner of trade and economic development and the director of the Minnesota trade division are also responsible for the promotion of national trade programs related to international marketing. The commissioner of agriculture has primary responsibility for promoting the agriculture interests of producers, promoting state agricultural markets, and promoting agricultural interests of the state in cooperative production and marketing efforts with other states and the United States Department of Agriculture. The commissioner of agriculture is also responsible for promoting the national marketing of state agricultural products.

Sec. 21. [236A.02] ADMINISTRATIVE SUPPORT.

The commissioner of agriculture in consultation with the director of the Minnesota trade division shall provide administrative staff and support to the Interstate Agricultural Grain Marketing Commission members from this state.

JUVENILE JUSTICE AND YOUTH INTERVENTION

Sec. 22. [268.29] JUVENILE JUSTICE PROGRAM.

The governor shall designate the department of jobs and training as the sole agency responsible for supervising the preparation and administration of the state plan for juvenile justice required by the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

The governor shall designate the juvenile justice advisory committee as the supervisory board for the department of jobs and training with respect to preparation and administration of the state plan and award of grants.

The governor shall appoint members to the juvenile justice advisory committee in accordance with the membership requirements of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Sec. 23. [268.30] GRANTS-IN-AID TO YOUTH INTERVENTION PROGRAMS.

Subdivision 1. GRANTS. The commissioner may make grants to nonprofit agencies administering youth intervention programs in communities where the programs are or may be established.

"Youth intervention program" means a nonresidential community-based program providing advocacy, education, counseling, and referral services to youth and their families experiencing personal, familial, school, legal, or chemical problems with the goal of resolving the present problems and preventing the occurrence of the problems in the future.

Subd. 2. APPLICATIONS. Applications for a grant-in-aid shall be made by the administering agency to the commissioner. The grant-in-aid is contingent upon the agency having obtained from the community in which the youth intervention program is established local matching money two times the amount of the grant that is sought.

The commissioner shall provide by rule the application form, procedures for making application form, criteria for review of the application, and kinds of contributions in addition to cash that qualify as local matching money. No grant to any agency shall exceed \$25,000.

Sec. 24. REORGANIZATION.

The divisions and offices established within the department of trade and economic development by section 14 include the following divisions and offices in existence within and without the department before the effective date of this article:

- (1) the business promotion and marketing division;
- (2) the community development division includes the community development division and the financial management division;
- (3) the office of tourism includes the office of tourism;
- (4) the Minnesota trade division includes the Minnesota trade office in the department of agriculture relating to international trade, but does not include the functions and positions of the office relating solely to domestic agricultural promotion; and
- (5) the policy analysis office includes the division of policy analysis.

Sec. 25. REPEALER.

Minnesota Statutes 1986, sections 4.09; 17.03, subdivision 5; 116J.404; and 116J.405 are repealed.

Sec. 26. INSTRUCTION TO REVISOR.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. The revisor of statutes shall renumber each section of Minnesota Statutes in column A with the corresponding number in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering and change the words "commissioner of agriculture" or similar words to "commissioner of the department of trade and economic development" or similar words.

<u>Column A</u>	<u>Column B</u>
<u>17.103</u>	<u>116J.970</u>
<u>17.104</u>	<u>116J.971</u>
<u>17.105</u>	<u>116J.972</u>

Subd. 2. The revisor of statutes shall, except in those sections listed in section 10, change all references to the commissioner or the department of energy and economic development to the commissioner or department of trade and economic development, as appropriate, whenever those words appear in Minnesota Statutes.

Sec. 27. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

ARTICLE 2

WORLD TRADE CENTER

Section 1. **[44A.001] DEFINITIONS.**

Subdivision 1. APPLICABILITY. For purposes of this chapter, the following terms have the meaning given them in this section.

Subd. 2. BOARD. "Board" means the governing board of the Minnesota world trade center corporation.

Subd. 3. CONFERENCE AND SERVICE CENTER. "Conference and service center" means the approximately 20,000 square feet of space on the third and fourth floors of the Minnesota world trade center that the state of Minnesota has the right to possess, occupy, and use subject to the terms and conditions of the development agreement.

Subd. 4. CORPORATION. "Corporation" means the Minnesota world trade center corporation established by section 44A.01.

Subd. 5. DEVELOPMENT AGREEMENT. "Development agreement" means the agreement entered into by and between the world trade center board, as agent of the state of Minnesota, and Oxford Development Minnesota, Inc., dated July 27, 1984, and the amendments to that agreement, for development and construction of a world trade center at a designated site in Minnesota.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 6. MINNESOTA WORLD TRADE CENTER. "Minnesota world trade center" means the facility constructed in accordance with the development agreement.

Sec. 2. Minnesota Statutes 1986, section 44A.01, is amended to read:

44A.01 WORLD TRADE CENTER BOARD CORPORATION.

Subdivision 1. **MEMBERSHIP ESTABLISHMENT.** (a) A world trade center board is created to facilitate and support Minnesota world trade center programs and services and promote the growth of international trade in Minnesota. The world trade center board consists of nine voting members and four legislators serving as nonvoting members. Three members are representatives of the membership of the Minnesota world trade center, one member is a representative of the international business community, and one member is a representative of the agricultural community.

(b) The initial voting members are appointed by the governor with the advice and consent of the senate. The terms of five of the initial voting members shall expire the first Monday in January 1987. The terms of the remaining four initial voting members shall expire the first Monday in January 1989. A vacancy is filled in the same manner as the appointment. The Minnesota world trade center corporation is a public corporation established to facilitate and support Minnesota world trade center programs and services and to promote the Minnesota world trade center. The corporation is a state agency, but is not subject to chapters 14, 16A, 16B, 43A, and 179A.

Subd. 2. BOARD MEMBERSHIP. (a) The corporation is governed by a board of directors consisting of:

(1) six members, representing the international business community, elected to six-year terms by the association of members established under section 4, subdivision 2, clause (5);

(2) three members appointed by the governor, with the advice and consent of the senate, to six-year terms; and

(3) six legislators appointed under paragraph (b).

Members appointed by the governor must be knowledgeable or experienced in international trade in products or services.

(c) (b) ~~Legislator members are two~~ three members of the senate appointed under the rules of the senate and ~~two~~ three members of the house of representatives appointed by the speaker. One member from each house must be appointed from the minority party of that house. Except for the initial members, who are to be appointed following enactment, they are appointed at the beginning of each regular session of the legislature for two-year terms. A legislator who remains a member of the body from which the legislator was appointed may serve until a successor is appointed and qualifies. A vacancy in a legislator

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member's term is filled for the unexpired portion of the term in the same manner as the original appointment.

Subd. ~~2.~~ 3. **TERMS; COMPENSATION; REMOVAL.** Except as provided in this section, terms, compensation, and removal of members who are not legislators are as provided in section 15.059.

Subd. ~~3.~~ 4. **ORGANIZATION.** ~~The chair of the world trade center board is selected by the board members~~ The board shall elect a chair and an executive committee from its members.

Sec. 3. Minnesota Statutes 1986, section 44A.02, is amended to read:

44A.02 PRESIDENT.

Subdivision 1. **SELECTION.** The president of the world trade center ~~board~~ corporation is selected by a majority of the board and serves at the pleasure of the board. The president must be familiar with the international business community, and have demonstrated proficiency in communication skills, administration, and management. The salary of the president is set by the board ~~within the limit set by sections, but may not exceed the salary set for the commissioner of finance under section 15A.081, subdivision 1, and 43A.17.~~

Subd. 2. **DUTIES.** The president is the chief administrative officer of the ~~board~~ corporation and is responsible for performing the executive duties of the ~~board~~ corporation. The president is not a member of the board.

Subd. 3. **EMPLOYEES.** The president may appoint ~~unclassified employees in accordance with chapter 43A and prescribe their duties.~~ Employees and officers of the corporation are not state employees, but at the option of the board may participate in the following plans for employees in the unclassified service: the state retirement plan, the state deferred compensation plan, and the health insurance and life insurance plans. The president may delegate to a subordinate the exercise of specified statutory powers or duties as the president deems advisable, subject to the control of the president.

Sec. 4. [44A.023] POWERS.

Subdivision 1. LEGAL ACTION. The corporation may sue and be sued in the manner and subject to the limitations of other state agencies.

Subd. 2. OTHER POWERS. The board may:

(1) define, formulate, administer, and deliver programs and services through the world trade center;

(2) establish satellite operations of the Minnesota world trade center within the continental United States;

(3) accept gifts and grants from other sources;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

- (4) set and collect fees for services and programs;
- (5) adopt membership requirements for an association of members of the Minnesota world trade center;
- (6) participate jointly with private persons, firms, corporations, or organizations or with public entities in appropriate programs or projects and enter into contracts to spend money to carry out those programs or projects;
- (7) have a seal and alter it at will;
- (8) acquire and dispose of personal property, including inchoate and intellectual property, royalties, stock, and stock warrants;
- (9) enter into contracts or agreements with a federal or state agency, individual, business entity, or other organization;
- (10) acquire and dispose of real property or an interest in real property;
- (11) purchase insurance;
- (12) spend money appropriated to it for its purposes, including expenditures for the food, lodging, and travel of consultants and speakers hired by the board, and for publications, advertising, and promotional activities; and
- (13) hold and maintain membership for the Minnesota world trade center in the world trade centers association.

Sec. 5. [44A.025] DUTIES.

The board shall:

- (1) promote and market the Minnesota world trade center;
- (2) sponsor conferences or other promotional events in the conference and service center;
- (3) adopt bylaws governing operation of the corporation by November 1, 1987;
- (4) establish a Minnesota world trade center club program in accordance with the development agreement;
- (5) conduct public relations and liaison activities between the corporation and the international business community;
- (6) establish and maintain an office in the Minnesota world trade center; and
- (7) not duplicate programs or services provided by the commissioner of trade and economic development, the Minnesota trade division, or the commissioner of agriculture.

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Sec. 6. Minnesota Statutes 1986, section 44A.031, is amended to read:

44A.031 PROMOTIONAL EXPENSES.

The world trade center board may expend money in the world trade center fund, and any other money appropriated by the legislature, for the purpose of promotion of world trade in Minnesota to carry out sections 4 and 5. Promotional expenses include, but are not limited to, expenses for the food, lodging and travel of consultants and, speakers, and employees hired by the board, and publications and other forms of advertising. Promotional expenditures may be made in the same manner as expenditures made by private persons, firms, corporations, or associations for similar purposes, and are not subject to regulation by the commissioner of employee relations.

Sec. 7. [44A.0311] WORLD TRADE CENTER CORPORATION FUND.

The world trade center corporation fund is an account in the state treasury. All money received by the corporation, including money generated from the use of the conference and service center, except money generated from the use of the center by the Minnesota trade division, must be deposited in the fund. Money in the fund including interest earned is appropriated to the board and must be used exclusively for corporation purposes.

Sec. 8. [44A.11] USE OF CONFERENCE AND SERVICE CENTER.

The board shall operate or provide for the operation of the conference and service center. Priority use of the conference and service center must be given to programs and activities related to international trade. The board may permit use of the center for public benefits and other revenue raising purposes only after all requests for use of the center for international business have been accommodated.

Sec. 9. TRANSITION.

(a) The nine voting members of the Minnesota world trade center board on the effective date of this section shall serve as the first nonlegislative members of the first Minnesota world trade center corporation board of directors. The governor shall designate three of the nine as the governor's appointees and shall designate one of those members to serve a term of two years, one a term of four years, and one a term of six years. At the conclusion of the terms of the three members designated by the governor as the governor's appointees, their successors must be appointed under section 2, subdivision 2, paragraph (a), clause (2). Of the remaining six members of the first world trade center corporation board, two shall serve terms of two years, two shall serve terms of four years, and two shall serve terms of six years. The determination of members who serve these terms must be made by the governor. On expiration of these six members' terms, successors must be elected under section 2, subdivision 2, paragraph (a), clause (1). If the association fails to elect successors within 90 days of the expiration of a term, the governor shall fill that term by appointment.

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Sec. 10. MEMBERSHIP AGREEMENT.

The Minnesota world trade center corporation shall request the executive board of the world trade centers association to transfer the membership of the Minnesota world trade center board in the world trade centers association to the corporation.

Sec. 11. TRANSFERS; APPROPRIATIONS; COMPLEMENT.

Subdivision 1. DEFINITIONS. The definitions in section 1 apply to this section.

Subd. 2. TRANSFER. All of the state of Minnesota's rights and obligations under the development agreement and all existing contracts related to the approximately 20,000 square feet to which the world trade center board is a party or beneficiary is transferred to the corporation. All other property of the world trade center board, including any unexpended balance of the world trade center board 1987 appropriation and matching funds, is transferred and appropriated to the corporation.

Subd. 3. OPERATING EXPENSES APPROPRIATION. \$135,000 the first year and \$180,000 the second year is appropriated from the general fund to the commissioner of administration to pay the operating expenses of the Minnesota world trade center conference and service center as required by the development agreement, to be available until June 30, 1989. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 4. APPROPRIATIONS AND COMPLEMENT. The approved complement of the Minnesota trade division of the department of trade and economic development is increased by four positions. The commissioner of trade and economic development shall fund these positions with money appropriated to the department of trade and economic development by other law.

Sec. 12. REPEALER.

Minnesota Statutes 1986, sections 44A.03; 44A.04; 44A.05; and 44A.07, are repealed.

Sec. 13. TOURISM APPOINTMENT.

Notwithstanding section 14 of article 1, the governor shall appoint the director of tourism until January 1, 1989.

Sec. 14. EFFECTIVE DATE.

Sections 1 to 12 are effective July 1, 1987.

Approved May 28, 1987

Changes or additions are indicated by underline, deletions by ~~strikeout~~.