

published notice of an emergency meeting shall not be required. An "emergency" meeting is a special meeting called because of circumstances that, in the judgment of the public body, require immediate consideration by the public body. If matters not directly related to the emergency are discussed or acted upon at an emergency meeting, the minutes of the meeting shall include a specific description of the matters.

(d) RECESSED OR CONTINUED MEETINGS. If a meeting is a recessed or continued session of a previous meeting, and the time and place of the meeting was established during the previous meeting and recorded in the minutes of that meeting, then no further published or mailed notice is necessary. For purposes of this clause, the term "meeting" includes a public hearing conducted pursuant to chapter 429 or any other law or charter provision requiring a public hearing by a public body.

(e) CLOSED MEETINGS. The notice requirements of this subdivision apply to closed meetings.

(f) STATE AGENCIES. For a meeting of an agency, board, commission, or department of the state, (i) the notice requirements of this subdivision apply only if a statute governing meetings of the agency, board or commission does not contain specific reference to the method of providing notice, and (ii) all provisions of this subdivision relating to publication shall be satisfied by publication in the state register.

(g) ACTUAL NOTICE. If a person receives actual notice of a meeting of a public body at least 24 hours before the meeting, all notice requirements of this subdivision are satisfied with respect to that person, regardless of the method of receipt of notice.

(h) LIABILITY. No fine or other penalty may be imposed on a member of a public body for a violation of this subdivision unless it is established that the violation was willful and deliberate by the member.

Approved May 28, 1987

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#### CHAPTER 314—S.F.No. 1437

*An act relating to economic development; providing for review of state-funded scientific and technologically related research; creating an office of science and technology within the department of energy and economic development; creating a committee on science and technology research and development and providing for its powers and duties; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 1986, section 116J.94.*

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

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

**Section 1. [116J.970] SCIENCE AND TECHNOLOGY OFFICE.**

Subdivision 1. DUTIES. The commissioner shall establish an office of science and technology, which shall:

(1) provide assistance to the committee on science and technology research and development established in section 2;

(2) prepare and deliver to the legislature every January 15, a science and technology annual report that shall contain:

(i) a list of the scientifically and technologically related research and development projects and development activities funded by a grant or loan of state money;

(ii) guidelines that the legislature may use in allocating state grant or loan money for scientifically and technologically related research and development projects, to include assessments of emerging technologies and those technologies that provide significant promise for the development of job-creating businesses; and

(iii) an analysis of the efficacy and completeness of the decentralized research peer review processes mandated in section 2, subdivision 5, with special emphasis on whether or not scientifically and technologically related research and development projects in Minnesota are in conformance with the guidelines established in item (ii), and whether or not the scientifically and technologically related research and development projects have or will result in creating scientifically and technologically related jobs;

(3) keep a current roster of technology intensive businesses in the state;

(4) collect and disseminate information on financial, technical, marketing, management, and other services available to technology intensive small and emerging businesses, including potential sources of debt and equity capital;

(5) review the technological development potential of various regions of the state and cooperate with and make recommendations to the legislature, state agencies, local governments, local technology development agencies, the federal government, private businesses, and individuals for the realization of the development potential;

(6) sponsor and conduct conferences and studies, collect and disseminate information, and issue periodic reports relating to scientifically and technologically related research and development, and education in the state and represent the state at appropriate interstate and national conferences; and

(7) take other action as assigned by the commissioner.

**Sec. 2. [116J.971] COMMITTEE ON SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.**

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

Subdivision 1. MEMBERSHIP. The committee on science and technology research and development consists of:

- (1) a chair appointed by the governor to a four-year term;
- (2) eight members appointed by the governor to six-year terms;
- (3) one member appointed by the speaker of the house of representatives at the beginning of each biennium to a two-year term;
- (4) one member appointed by the minority leader of the house of representatives at the beginning of each biennium to a two-year term;
- (5) one member appointed by the majority leader of the senate at the beginning of each biennium to a two-year term; and
- (6) one member appointed by the minority leader of the senate at the beginning of each biennium to a two-year term.

At least one member must be appointed from each of the regions established in subdivision 2.

Subd. 2. RURAL REGION REPRESENTATION. The department of energy and economic development shall divide the part of the state located outside of the metropolitan area as defined in section 473.121, subdivision 2, into six regions. A region's boundaries must be coterminous with the boundaries of one or more of the development regions established under section 462.385.

Subd. 3. QUALIFICATIONS AND DUTIES OF THE COMMITTEE ON SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT. Members of the committee on science and technology research and development must be qualified in at least one of the five following areas: economic development, academic and applied research, the administration of research, the review of research processes, and the management and development of technology intensive companies. The committee shall:

- (i) advise upon and approve by a majority vote the guidelines required by section 1, clause (2), item (ii);
- (ii) advise the director of the office of science and technology on the preparation of the analysis required by section 1, clause (2), item (iii);
- (iii) approve the assignment of ad hoc advisory committees on science and technology research and development as needed; and
- (iv) review and comment upon, if the committee considers it to be necessary, the reports of the ad hoc advisory committees and forward the reports to the director of the office of science and technology.

Subd. 4. AD HOC ADVISORY COMMITTEES. To perform the acts required by section 1, clause (2), the committee on science and technology

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research and development may, from time to time, approve the creation and use of ad hoc advisory committees composed of 3 to 15 members each. Members of the committee on science and technology research and development may be ad hoc committee members, but members of the permanent committee may not be a majority of an ad hoc committee.

Subd. 5. COMPENSATION. Members of the committee on science and technology research and development and of the ad hoc advisory committees receive no compensation but payment of their expenses is governed by section 15.059, subdivision 6.

Subd. 6. PEER REVIEW PLANS. A state agency, board, commission, authority, or institution that funds scientifically and technologically related research shall establish a peer review system to evaluate the research. The committee on science and technology research and development shall recommend guidelines for establishing effective peer review. An agency, board, commission, authority, or institution that funds scientifically and technologically related research shall, at least biennially, present to the committee on science and technology research and development or to ad hoc committees, as determined by the committee on science and technology research and development, a review and evaluation of the peer review process used in that organization.

Subd. 7. AUTHORITY TO PERFORM REQUESTED EVALUATIONS. The governor, commissioner or director of the office of science and technology, speaker of the house of representatives, house of representatives minority leader, senate majority leader, senate minority leader, chair of the house of representatives appropriations committee, chair of the senate finance committee, or a member of the legislature considering the introduction or approval of legislation containing funding for scientifically and technologically related research and development, may request the committee on science and technology research and development to evaluate a loan or grant made or to be made or the proposed legislation for funding scientifically and technologically related research and development to determine (1) whether it complies with the guidelines required by section 1, clause (2), item (ii); (2) whether it is technically feasible; and (3) for development proposals, whether the proposal appears to have the potential for economic development. Ad hoc committees may be appointed by the committee on science and technology research and development to perform these reviews.

Subd. 8. AUTHORITY FOR REVIEW AND COMMENT UPON RESEARCH AND DEVELOPMENT PROGRAMS. Each agency, board, commission, authority or institution receiving an appropriation for the funding of scientifically and technologically related research and development must notify the office of science and technology within 60 days of making a loan or grant for scientifically or technologically related research and development. The notice shall contain a summary of the nature of and significant objectives of the research and development project funded by a grant or loan. The notice must also include information on the size and timing of previous grants or loans and anticipated additional funding needs. The committee on science and technology

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research and development shall, at least once each biennium, review scientifically and technologically related research funded by a state agency, board, commission, authority, or institution to assess whether or not the research and development is conducted in accordance with the guidelines required by section 1, clause (2), item (ii). The committee's assessment shall be sent to the legislature on or before January 15 of every odd-numbered year.

Subd. 9. STAFF APPOINTMENTS. The director of the office of science and technology shall appoint those staffmembers necessary to perform the functions of the science and technology division. The director shall appoint in the unclassified service an executive director of the committee on science and technology research and development, who shall report to the director. The executive director must hold a post-baccalaureate degree in scientific or technologically related studies, or demonstrate experience in technological policy formulation.

### Sec. 3. RESEARCH LINE ITEMS REQUIRED.

The commissioner of finance shall establish budget objects of expenditure that specifically identify money used for scientifically and technologically related research and development.

### Sec. 4. INITIAL APPOINTMENTS.

Notwithstanding section 2, subdivision 1, the governor shall make the following initial appointments: the first chair to serve from July 1, 1987, to January 1, 1990; three members to serve from July 1, 1987, to January 1, 1993; three members to serve from July 1, 1987, to January 1, 1991; and two members to serve from July 1, 1987, to January 1, 1989.

### Sec. 5. REPEALER.

Minnesota Statutes 1986, section 116J.94, is repealed.

Approved May 28, 1987

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## CHAPTER 315—S.F.No. 1472

*An act relating to traffic regulations; requiring certain persons convicted of DWI or a DWI-related offense and certain juveniles adjudicated for a DWI offense to undergo chemical use assessment; requiring courts to order chemical use treatment for habitual DWI offenders in accordance with the assessment recommendation; imposing a chemical dependency assessment charge on persons convicted of DWI or a DWI-related offense, and juveniles adjudicated for a DWI offense for the purpose of financing these chemical use assessments; appropriating money; amending Minnesota Statutes 1986, sections 169.121, subdivision 5, and by adding subdivisions; 169.124; 169.125; 169.126, subdivisions 1, 2, 3, 4, 6, and by adding subdivisions; and 260.193, subdivision 8; repealing Minnesota Statutes 1986, section 169.126, subdivision 5.*

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