

Sec. 11. REPEALER.

Minnesota Statutes 1990, section 494.01, subdivisions 3 and 5, are repealed.

Sec. 12. EFFECTIVE DATE.

Sections 2 and 3 are effective August 1, 1991, and apply to convictions entered and civil actions commenced on or after that date. Sections 4 to 6 and 11 are effective the day following final enactment. Sections 7 and 9 are effective July 1, 1991, and apply to proceedings pending on or commenced on or after that date, except that the reduction in the time when a party may serve a written acceptance or written counteroffer under section 7, paragraph (b), from 60 to 30 days only applies if the written offer of settlement is made on or after July 1, 1991.

Presented to the governor May 30, 1991

Signed by the governor June 3, 1991, 2:58 p.m.

 CHAPTER 322—H.F.No. 930

An act relating to economic development; changing the name of the Greater Minnesota Corporation; adding duties; providing for a new structure for the board of directors; amending Minnesota Statutes 1990, sections 116O.03, subdivision 2; 116O.04, subdivision 2; 116O.05, subdivision 2; and 116O.09, subdivision 3, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 116O; repealing Minnesota Statutes 1990, sections 116J.970; 116J.971; and 116O.03, subdivision 2a.

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

Section 1. [116O.011] NAME CHANGE.

The Greater Minnesota Corporation is renamed Minnesota Technology, Inc.

Sec. 2. Minnesota Statutes 1990, section 116O.03, subdivision 2, is amended to read:

Subd. 2. **BOARD OF DIRECTORS.** The corporation is governed by a board of ~~11~~ 14 directors. ~~The term of a director is six years. Vacancies on the board are filled by appointment of the board, subject to the advice and consent of the senate. Board members may receive reasonable compensation and be reimbursed for reasonable expenses, which must be reviewed each year by the commissioner of finance. The membership terms, compensation, removal, and filling of vacancies of public members of the board are as provided in section 15.0575. Membership of the board consists of the following:~~

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(1) a person from the private sector, appointed by the governor, who shall act as chair and serve as chief science advisor to the governor and the legislature;

(2) the dean of the institute of technology of the University of Minnesota;

(3) the dean of the graduate school of the University of Minnesota;

(4) the commissioner of the department of trade and economic development;

(5) six members appointed by the governor, at least one of whom must be a person from a public post-secondary system other than the University of Minnesota; and

(6) one member who is not a member of the legislature appointed by each of the following: the speaker of the house of representatives, the house of representatives minority leader, the senate majority leader, and the senate minority leader.

At least fifty percent of the members described in clauses (5) and (6) must live outside the metropolitan area as defined in section 473.121, subdivision 2, and must have experience in manufacturing, the technology industry, or research and development.

Sec. 3. Minnesota Statutes 1990, section 116O.04, subdivision 2, is amended to read:

Subd. 2. **STATUS OF EMPLOYEES.** Employees, officers, and directors of the corporation and programs governed by this chapter are not state employees, but are covered by section 3.736 and, at the option of the board, may participate in the state retirement plan and the state deferred compensation plan for employees in the unclassified service and an insurance plan administered by the commissioner of employee relations.

Sec. 4. Minnesota Statutes 1990, section 116O.05, subdivision 2, is amended to read:

Subd. 2. **DUTIES.** (a) The primary duties of the corporation shall include:

(1) applied research; and

(2) technology transfer and early stage funding to small manufacturers.

(b) The corporation shall also:

(1) establish programs, activities, and policies that provide technology transfer and applied research and development assistance to individuals, sole proprietorships, partnerships, corporations, other business entities, and nonprofit orga-

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nizations in the state that are primarily new and existing small and medium-sized businesses in greater Minnesota;

(2) provide or provide for technology-related assistance to individuals, sole proprietorships, partnerships, corporations, other business entities, and non-profit organizations;

(3) provide financial assistance under section 116O.06 to assist the development of new products, services, or production processes or to assist in bringing new products or services to the marketplace;

(4) provide or provide for research services including on-site research and testing of production techniques and product quality;

(5) establish and operate regional research institutes as provided for in section 116O.08;

(6) make matching research grants for applied research and development to public and private post-secondary education institutes as provided for in section 116O.11;

(7) enter into contracts for establishing formal relationships with public or private research institutes or facilities;

(8) establish the agricultural utilization research institute under section 116O.09; and

(9) not duplicate existing services or activities provided by other public and private organizations but shall build on the existing educational, business, and economic development infrastructure.

Sec. 5. [116O.071] SCIENCE AND TECHNOLOGY.

Subdivision 1. DUTIES. The corporation shall:

(1) prepare and deliver to the legislature every January 15 a science and technology annual report that must 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 that provides significant promise for the development of job-creating businesses; and

(ii) an analysis of the efficacy and completeness of a decentralized research peer review process, with special emphasis on whether or not scientifically and technologically related research and development projects in Minnesota have resulted or will result in creating scientifically and technologically related jobs;

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

(3) 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;

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(4) 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; and

(5) 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.

Subd. 2. PEER REVIEW PLANS. A state agency, board, commission, authority, institution, or other entity that allocates state money by a grant, loan, or contract for scientifically and technologically related research shall establish a peer review system to evaluate the research. The corporation 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 corporation or to ad hoc committees a review and evaluation of the peer review process used in that organization.

Subd. 3. AUTHORITY TO PERFORM REQUESTED EVALUATIONS. The governor, 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, director, 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 corporation 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 subdivision 1, clause (1), 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 corporation.

Sec. 6. Minnesota Statutes 1990, section 116O.09, subdivision 3, is amended to read:

Subd. 3. STAFF. The corporation board of directors shall provide hire staff to for the agricultural utilization research institute and assist in carrying out the duties of the agricultural utilization research institute. Persons employed by the agricultural utilization research institute are not state employees and may participate in state retirement, deferred compensation, insurance, or other plans that apply to state employees generally and are subject to regulation by the state ethical practices board.

Sec. 7. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

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Subd. 6. BYLAWS. The board of directors shall adopt bylaws necessary for the conduct of the business of the institute consistent with this section. The corporation must publish bylaws and amendments to the bylaws in the State Register.

Sec. 8. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 7. PLACE OF BUSINESS. The board of directors shall locate and maintain the institute's place of business within the state.

Sec. 9. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 8. CHAIR. The board of directors shall annually elect from among its members a chair and other officers necessary for the performance of its duties.

Sec. 10. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 9. MEETINGS. The board of directors shall meet at least twice each year and may hold additional meetings upon giving notice in accordance with the bylaws of the institute. Board meetings are subject to section 471.705.

Sec. 11. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 10. CONFLICT OF INTEREST. A director, employee, or officer of the institute may not participate in or vote on a decision of the board relating to an organization in which the director has either a direct or indirect financial interest.

Sec. 12. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 11. NO BENEFIT TO PRIVATE INDIVIDUALS OR CORPORATIONS. This institute shall not afford pecuniary gain, incidental or otherwise, to any private individual, firm, or corporation, except the payment of reasonable fees for goods and services provided and approved in accordance with the bylaws of the corporation. No part of the net income or net earnings of the institute shall, directly or indirectly, be distributable to or otherwise inure to the benefit of any individual.

Sec. 13. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 12. FUNDS. The institute may accept and use gifts, grants, or contributions from any source. Unless otherwise restricted by the terms of a gift or bequest, the board may sell, exchange, or otherwise dispose of and invest or reinvest the money, securities, or other property given or bequeathed to it. The

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principal of these funds, the income from them, and all other revenues received by it from any nonstate source must be placed in the depositories the board determines and is subject to expenditure for the board's purposes. Expenditures of more than \$25,000 must be approved by the full board.

Sec. 14. Minnesota Statutes 1990, section 116O.09, is amended by adding a subdivision to read:

Subd. 13. ACCOUNTS; AUDITS. The institute may establish funds and accounts that it finds convenient. The board shall provide for and pay the cost of an independent annual audit of its official books and records by the legislative auditor subject to sections 3.971 and 3.972. A copy of this audit shall be filed with the secretary of state.

For purposes of this section, "institute" means the agricultural utilization research institute established under section 116O.09 and "board of directors" means the board of directors of the agricultural utilization research institute.

Sec. 15. REPORT TO GOVERNOR AND THE LEGISLATURE.

Minnesota Technology, Inc., shall report to the governor and the appropriate committees of the legislature its recommendations for a state science and technology policy by January 1, 1992.

Sec. 16. DISSOLUTION OF GREATER MINNESOTA CORPORATION BOARD OF DIRECTORS; REAPPOINTMENT OF DIRECTORS.

The board of directors of the Greater Minnesota Corporation is dissolved. It is succeeded by the board of directors established in section 2. The successor board must have at least four members who currently serve as directors of the Greater Minnesota Corporation.

Sec. 17. [116O.072] TECHNOLOGY RESOURCE CENTERS.

The corporation must provide funding for technology resource centers so as to maintain a geographic balance of services throughout Minnesota.

Sec. 18. TRANSFER.

The following programs are transferred from the department of economic development to Minnesota Technology, Inc.: Minnesota Project Outreach Corporation, Minnesota Project Innovation, Inc., Minnesota Quality Council, Minnesota Inventors' Congress, Minnesota High Technology Corridor Corporation, and the office of science and technology. The provisions of Minnesota Statutes, section 15.039, apply to this transfer.

Sec. 19. REVISOR INSTRUCTION.

In the next edition of Minnesota Statutes and Minnesota Rules, the revisor of statutes shall change the words "Greater Minnesota Corporation" or similar

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words to "Minnesota Technology, Inc." or similar words. The revisor shall make other necessary changes to Minnesota Statutes and Minnesota Rules to effectuate section 18.

Sec. 20. **REPEALER.**

Minnesota Statutes 1990, sections 116J.970, 116J.971, and 116O.03, subdivision 2a, are repealed.

Sec. 21. **EFFECTIVE DATE.**

Sections 1 to 20 are effective July 1, 1991.

Presented to the governor May 30, 1991

Signed by the governor June 3, 1991, 9:52 a.m.

CHAPTER 323—H.F.No. 459

An act relating to crimes; providing that a claimant in a forfeiture proceeding does not have to pay a filing fee; providing for appointment of qualified interpreters in forfeiture proceedings; amending Minnesota Statutes 1990, sections 609.531, subdivision 1; 609.5314, subdivisions 2 and 3; 611.31; and 611.32.

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

Section 1, Minnesota Statutes 1990, section 609.531, subdivision 1, is amended to read:

Subdivision 1. **DEFINITIONS.** For the purpose of sections 609.531 to 609.5317, the following terms have the meanings given them.

(a) "Conveyance device" means a device used for transportation and includes, but is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment attached to it. The term "conveyance device" does not include property which is, in fact, itself stolen or taken in violation of the law.

(b) "Weapon used" means a weapon used in the furtherance of a crime and defined as a dangerous weapon under section 609.02, subdivision 6.

(c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

(d) "Contraband" means property which is illegal to possess under Minnesota law.

(e) "Appropriate agency" means the bureau of criminal apprehension, the

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