

CHAPTER 232—S.F.No. 759

An act relating to economic development; changing certain departmental operating procedures; altering the corporate structure of Advantage Minnesota, Inc.; clarifying economic development authority powers; amending Minnesota Statutes 1994, sections 116J.58, subdivision 1; 116J.693, subdivisions 2, 3, 4, and 5; 116N.02, subdivision 1; 116N.06; and 446A.03, subdivision 4.

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

Section 1. Minnesota Statutes 1994, section 116J.58, subdivision 1, is amended to read:

Subdivision 1. **ENUMERATION.** The commissioner shall:

(1) investigate, study, and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Minnesota business, industry, and commerce, within and outside the state;

(2) locate markets for manufacturers and processors and aid merchants in locating and contacting markets;

(3) investigate and study conditions affecting Minnesota business, industry, and commerce and collect and disseminate information, and engage in technical studies, scientific investigations, and statistical research and educational activities necessary or useful for the proper execution of the powers and duties of the commissioner in promoting and developing Minnesota business, industry, and commerce, both within and outside the state;

(4) plan and develop an effective business information service both for the direct assistance of business and industry of the state and for the encouragement of business and industry outside the state to use economic facilities within the state;

(5) compile, collect, and develop periodically, or otherwise make available, information relating to current business conditions;

(6) conduct or encourage research designed to further new and more extensive uses of the natural and other resources of the state and designed to develop new products and industrial processes;

(7) study trends and developments in the industries of the state and analyze the reasons underlying the trends; study costs and other factors affecting successful operation of businesses within the state; and make recommendations regarding circumstances promoting or hampering business and industrial development;

(8) serve as a clearing house for business and industrial problems of the state; and advise small business enterprises regarding improved methods of accounting and bookkeeping;

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(9) cooperate with interstate commissions engaged in formulating and promoting the adoption of interstate compacts and agreements helpful to business, industry, and commerce;

(10) cooperate with other state departments, and with boards, commissions, and other state agencies, in the preparation and coordination of plans and policies for the development of the state and for the use and conservation of its resources insofar as the use, conservation, and development may be appropriately directed or influenced by a state agency;

(11) assemble and coordinate information relative to the status, scope, cost, and employment possibilities and the availability of materials, equipment, and labor in connection with public works projects, state, county, and municipal; recommend limitations on the public works; gather current progress information with reference to public and private works projects of the state and its political subdivisions with reference to conditions of employment; inquire into and report to the governor, when requested by the governor, with respect to any program of public state improvements and the financing thereof; and request and obtain information from other state departments or agencies as may be needed properly to report thereon;

(12) study changes in population and current trends and prepare plans and suggest policies for the development and conservation of the resources of the state;

(13) confer and cooperate with the executive, legislative, or planning authorities of the United States and neighboring states and provinces and of the counties and municipalities of such neighboring states, for the purpose of bringing about a coordination between the development of such neighboring provinces, states, counties, and municipalities and the development of this state;

(14) generally, gather, compile, and make available statistical information relating to business, trade, commerce, industry, transportation, communication, natural resources, and other like subjects in this state, with authority to call upon other departments of the state for statistical data and results obtained by them and to arrange and compile that statistical information in a manner that seems wise;

(15) prepare an annual report to the legislature estimating and, to the extent possible, describing the number of Minnesota companies which have left the state or moved to surrounding states or other countries. The report should include an estimate of the number of jobs lost by these moves, an estimate of the total employment payroll, average hourly wage of those jobs lost and those created in the new location, and to the extent possible, the reasons for each company moving out of state, if known;

(16) publish documents and annually convene regional meetings to inform businesses, local government units, assistance providers, and other interested persons of changes in state and federal law related to economic development;

(17) annually convene conferences of providers of economic development related financial and technical assistance for the purposes of exchanging information on economic development assistance, coordinating economic development activities, and formulating economic development strategies;

(18) provide business with information on the economic benefits of energy conservation and on the availability of energy conservation assistance; and

(19) prepare, as part of biennial budget process with an annual interim summary for the legislature, performance measures for each business loan or grant program within the jurisdiction of the commissioner. Measures would include source of funds for each program, numbers of jobs proposed or promised at the time of application and the number of jobs created, estimated number of jobs retained, the average salary and benefits for the jobs resulting from the program, ~~estimated number of jobs displaced, if any,~~ and the number of projects approved.

Sec. 2. Minnesota Statutes 1994, section 116J.693, subdivision 2, is amended to read:

Subd. 2. **BOARD OF DIRECTORS.** (a) Advantage Minnesota, Inc. shall be governed by a board of directors consisting of voting and nonvoting members of,

(b) The voting members of the board shall be:

(1) representatives of business, professional, and industry organizations that have been certified by the commissioner, including Minnesota business and industry and labor organizations as having made a financial contribution to Advantage Minnesota, Inc. for their period of service in accordance with matching funds requirements established by the commissioner;

(2) representatives of labor organizations and educational institutions, if any, as designated from time to time by the board;

(3) the governor or a designee of the governor;

(4) the commissioner; and serving as

(5) other persons, if any, as designated from time to time by the board.

(c) The nonvoting members representing the legislature, of the board shall be the majority and minority leaders of the senate and, the speaker of the house of representatives and the minority leader of the house of representatives, or their designees.

(d) Meetings of the board are subject to section 471.705.

Sec. 3. Minnesota Statutes 1994, section 116J.693, subdivision 3, is amended to read:

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Subd. 3. **EXECUTIVE COMMITTEE; EMPLOYEES.** (a) The board of directors; ~~by resolution adopted by the affirmative vote of a majority of the directors;~~ shall create an executive committee of ~~ten~~ 12 members of the board including the commissioner, the vice-chair of the board of directors, and two members of the legislature. The ~~executive director~~ president of the corporation shall be appointed by the executive committee and ratified by the board. The executive committee shall oversee the daily operations of the corporation.

(b) Meetings of the executive committee ~~is~~ are subject to section 471.705 except when security, trade secret, potential client lists, pending proposals, negotiations, employee matters, or labor relations information are discussed.

(c) The employees of the corporation are not state employees.

Sec. 4. Minnesota Statutes 1994, section 116J.693, subdivision 4, is amended to read:

Subd. 4. **BYLAWS.** Bylaws of Advantage Minnesota, Inc. shall provide; ~~at a minimum; for staggered terms of not less than four years for directors;~~ for the qualification and removal of directors, and for filling vacancies on the board in a manner not inconsistent with this section.

Sec. 5. Minnesota Statutes 1994, section 116J.693, subdivision 5, is amended to read:

Subd. 5. **OTHER COMMITTEES.** The ~~board of directors~~ executive committee may, by resolution, create one or more committees, each consisting of ~~five~~ directors designated by the ~~board of directors~~ executive committee. The duties, responsibilities, and limitations of each committee shall be outlined in the resolution creating such committees.

Sec. 6. Minnesota Statutes 1994, section 116N.02, subdivision 1, is amended to read:

Subdivision 1. **MEMBERSHIP.** The rural development board consists of the commissioner of trade and economic development, the commissioner of economic security, the commissioner of agriculture, the president of the Minnesota Technology, Inc. board, the chancellor of vocational technical education, the chancellor of the state university board, the chancellor of the state board for community colleges, the president of the University of Minnesota or the president's designee, ~~the chair of the regional advisory committee;~~ and six members from the general public appointed by the governor, with at least one public member from each of the regions established in section 116N.08. Two of the public members must be local elected officials. Two of the public members must be members of farm organizations. One public member must represent the interests of business, and one public member must represent the interests of organized labor.

Sec. 7. Minnesota Statutes 1994, section 116N.06, is amended to read:

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116N.06 RURAL INVESTMENT GUIDE.

The board, after appropriate study and public hearings as necessary, shall adopt a comprehensive state rural investment guide consisting of policy statements, objectives, standards, and program criteria to guide state agencies in establishing and implementing programs relating to rural development. The guide must recognize the community and economic needs, the food and agricultural policy, and the resources of rural Minnesota, and provide a plan to coordinate and allocate public and private resources to the rural areas of the state. The board shall submit the guide to the appropriate committees of the legislature. The guide shall be prepared every fourth year.

Sec. 8. Minnesota Statutes 1994, section 446A.03, subdivision 4, is amended to read:

Subd. 4. **BOARD ACTIONS.** (a) A majority of the authority, excluding vacancies, constitutes a quorum to conduct its business, to exercise its powers, and for all other purposes.

(b) The board may conduct its business by any technological means available, including teleconference calls or interactive video, that allows for an interaction between members. If a meeting is conducted under this paragraph, a specific location must be available for the public to attend the meeting and at least one member must be present at that location.

Presented to the governor May 23, 1995

Signed by the governor May 25, 1995, 8:45 a.m.

CHAPTER 233—H.F.No. 1478

An act relating to state government; requiring notice to the commissioner of agriculture and certain other actions before an agency adopts or repeals rules that affect farming operations; providing for development of best management practices for feedlots; changing requirements for animal feedlot permits and sewage treatment system licenses; allowing composting of sheep carcasses; regulating administrative rulemaking; revising the procedures for the adoption and review of agency rules; requiring fees to cover costs; making technical changes; appropriating money; amending Minnesota Statutes 1994, sections 3.842, subdivisions 2, 4, and by adding a subdivision; 4A.05, subdivision 2; 14.04; 14.05, subdivision 2, and by adding a subdivision; 14.06; 14.08; 14.09; 14.131; 14.14, subdivision 1a, and by adding a subdivision; 14.15, subdivisions 3 and 4; 14.16, subdivision 1; 14.18, subdivision 1; 14.19; 14.22, subdivision 1; 14.23; 14.24; 14.25; 14.26; 14.365; 14.48; 14.51; 16A.1285, subdivisions 2, 4, and 5; 17.138, by adding a subdivision; 17.84; 18E.03, subdivision 3; 35.82, subdivision 2; 43A.04, by adding a subdivision; 62N.05, by adding a subdivision; 84.027, by adding a subdivision; 115.55, subdivision 2; 115.56, subdivision 2; 116.07, subdivisions 4, 4d, and 7; 144.98, subdivision 3; 221.0335; 326.2421, subdivision 3; and 341.10; Minnesota Rules, parts 1540.2140;

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