

- (3) performing maintenance work;
- (4) allowing inspections by state, county, or city officials charged in the enforcement of health, housing, building, fire prevention, or housing maintenance codes;
- (5) the tenant is causing a disturbance within the unit;
- (6) the landlord has a reasonable belief that the tenant is violating the lease within the tenant's unit;
- (7) prearranged housekeeping work in senior housing where 80 percent or more of the tenants are age 55 or older;
- (8) the landlord has a reasonable belief that the unit is being occupied by an individual without a legal right to occupy it; or
- (8) (9) the tenant has vacated the unit.

Sec. 2. Minnesota Statutes 1994, section 582.031, subdivision 2, is amended to read:

Subd. 2. **AUTHORIZED ACTIONS.** The holder of the mortgage or sheriff's certificate may take the following actions to protect the premises from waste: install or change locks on doors and windows, board windows, provide a resident caretaker, and otherwise prevent or minimize damage to the premises from the elements, vandalism, trespass, or other illegal activities. If the holder of the mortgage or sheriff's certificate installs or changes locks under this section, a key to the premises must be promptly delivered to the mortgagor or any person lawfully claiming through the mortgagor, upon request.

Presented to the governor March 21, 1996

Signed by the governor March 22, 1996, 10:56 a.m.

CHAPTER 368—S.F.No. 2267

VETOED

CHAPTER 369—H.F.No. 2256

An act relating to economic development; changing classification of the director of tourism; modifying provisions relating to business finance programs and the competitiveness task force; abolishing the main street program and the rural development board; transferring authority for certain programs; amending Minnesota Statutes 1994, sections 16B.06, subdivision 2; 116J.01, subdivisions 4 and 5; 116J.581, subdivisions 2 and 4; and 116J.980, subdivision 1; Minnesota Statutes 1995 Supplement, sections 116J.58, subdivision 1; 116J.581, subdivision 1; 116J.655; 116N.03,

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subdivision 2; and 116N.06; repealing Minnesota Statutes 1994, sections 116J.981; 116N.01, subdivision 2; 116N.02, subdivisions 2, 3, 4, and 5; 116N.04; and 116N.07; Minnesota Statutes 1995 Supplement, section 116N.02, subdivision 1; Minnesota Rules, part 4370.0010, subpart 3.

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

Section 1. Minnesota Statutes 1994, section 16B.06, subdivision 2, is amended to read:

Subd. 2. **VALIDITY OF STATE CONTRACTS.** (a) A state contract or lease is not valid and the state is not bound by it until:

- (1) it has first been executed by the head of the agency or a delegate which is a party to the contract;
- (2) it has been approved by the commissioner or a delegate, under this section;
- (3) it has been approved by the attorney general or a delegate as to form and execution; and
- (4) the account system shows an allotment or encumbrance balance for the full amount of the contract liability.

(b) Paragraph (a), clause (2), does not apply to contracts between state agencies or contracts awarding grants, or contracts making loans by the department of trade and economic development.

(c) The head of the agency may delegate the execution of specific contracts or specific types of contracts to a designated subordinate within the agency if the delegation has been approved by the commissioner of administration and filed with the secretary of state. The fully executed copy of every contract or lease must be kept on file at the contracting agency.

Sec. 2. Minnesota Statutes 1994, section 116J.01, subdivision 4, is amended to read:

Subd. 4. **APPOINTMENT OF DIRECTOR OF THE OFFICE OF TOURISM.** The director of the office of tourism shall be appointed by the governor. The director is under the supervision of the commissioner and serves in the unclassified service.

Sec. 3. Minnesota Statutes 1994, section 116J.01, subdivision 5, is amended to read:

Subd. 5. **DEPARTMENTAL ORGANIZATION.** (a) The commissioner shall organize the department as provided in section 15.06.

(b) The commissioner may establish divisions and offices within the department. The commissioner may employ three deputy commissioners in the unclassified service. One deputy must direct the Minnesota trade office and must be experienced and knowledgeable in matters of international trade. ~~One deputy must be the director of the office of tourism.~~

(c) The commissioner shall:

- (1) employ assistants and other officers, employees, and agents that the commissioner considers necessary to discharge the functions of the commissioner's office;
- (2) define the duties of the officers, employees, and agents, and delegate to them any of the commissioner's powers, duties, and responsibilities, subject to the commissioner's control and under conditions prescribed by the commissioner.

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Sec. 4. Minnesota Statutes 1995 Supplement, 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 book-keeping;

(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

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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, and the number of projects approved.

Sec. 5. Minnesota Statutes 1995 Supplement, section 116J.581, subdivision 1, is amended to read:

Subdivision 1. **CREATION.** There is created a permanent task force on the state's economic future and competitiveness. The task force is composed of the governor (ex officio); the commissioners of the departments of economic security, trade and economic development, commerce, and labor and industry; the chancellor of the board of trustees

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of the Minnesota state colleges and universities; the president of the largest statewide Minnesota organized labor organization as measured by the number of its members in affiliated labor organizations; the deans of the business schools at the University of Minnesota and St. Thomas University and the Hubert H. Humphrey Institute of Public Affairs; the science and technology advisor to the governor; six representatives from private sector businesses appointed by the governor, two from companies with more than 1,000 employees, two from companies with 101 to 1,000 employees, and two from companies with less than 100 employees; two members representing environmental interests; and designees of the majority leader of the senate and the minority leader of the house of representatives. The chair of the task force shall be elected by the members from the private sector members. Terms of private sector members shall be for a minimum of three years and a maximum of five years.

Sec. 6. Minnesota Statutes 1994, section 116J.581, subdivision 2, is amended to read:

Subd. 2. **DUTIES.** The task force shall:

(1) monitor implementation of the state's economic blueprint, particularly as it pertains to the long-range competitiveness of Minnesota's companies, published by the department of trade and economic development in November 1992;

(2) issue long-range policy recommendations for the state to achieve its long-range economic goals;

(3) hold periodic forums and symposiums as appropriate, involving renowned experts in areas pertaining to economic development and job creation;

(4) meet on call of the chair to receive reports and to provide ongoing counsel and advice to the legislature and the commissioner of trade and economic development;

(5) make recommendations as to modification or numeric changes in the economic blueprint to maintain its relevance and significance;

(6) ensure that goals, proposals, and recommendations should be quantified to the extent possible;

(7) utilize modern modeling tools to determine the long-range competitive impact of past, present, and proposed legislative action; and

(8) scrutinize all legislation that can impact the state's economic future or the competitiveness of Minnesota enterprise.

Sec. 7. Minnesota Statutes 1994, section 116J.581, subdivision 4, is amended to read:

Subd. 4. **CONTINUATION SUNSET OF TASK FORCE.** The task force shall ~~not expire but shall continue until terminated~~ by a law specifically terminating it on January 1, 1999.

Sec. 8. Minnesota Statutes 1995 Supplement, section 116J.655, is amended to read:

116J.655 YOUTH ENTREPRENEURSHIP EDUCATION PROGRAM.

The commissioner of trade and economic development shall establish a youth entrepreneurship education program to improve the academic and entrepreneurial skills of

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students and aid in their transition from school to business creation. The program shall strengthen local economies by creating jobs that enable citizens to remain in their communities and to foster cooperation among educators, economic development professionals, business leaders, and representatives of labor. Assistance under this section shall be available to new or existing student-operated or school-operated businesses that have an educational purpose, and provide service or products for customers or clients who do not attend or work at the sponsoring school. The commissioner may require an equal local match for assistance under this section up to the maximum grant amount of \$20,000.

Sec. 9. Minnesota Statutes 1994, section 116J.980, subdivision 1, is amended to read:

Subdivision 1. **DUTIES.** The department of trade and economic development shall:

(1) be responsible for administering all state community development and assistance programs, including the economic recovery account, the outdoor recreation grant program, the rural development board programs, the Minnesota public facilities authority loan and grant programs, and the enterprise zone program;

(2) be responsible for state administration of federally funded community development and assistance programs, including the small cities development grant program and land and water conservation program;

(3) provide technical assistance to rural communities for community development in cooperation with regional development commissions;

(4) coordinate the development and review of state rural development policies; and

(5) ~~provide staff and consultant services to the rural development board; and~~

(6) be responsible for coordinating community assistance and development programs in cooperation with regional development commissions.

Sec. 10. Minnesota Statutes 1995 Supplement, section 116N.03, subdivision 2, is amended to read:

Subd. 2. **GIFTS; GRANTS.** The ~~board~~ commissioner may apply for, accept, and disburse gifts, grants, loans, or other property from the United States, the state, private foundations, or any other source. ~~It;~~ may enter into an agreement required for the gifts, grants, or loans; and may hold, use, and dispose of its assets in accordance with the terms of the gift, grant, loan, or agreement. Money received by the ~~board~~ commissioner under this subdivision must be deposited in a separate account in the state treasury and invested by the state board of investment. The amount deposited, including investment earnings, is appropriated to the ~~board~~ commissioner to carry out its duties under this section.

Sec. 11. Minnesota Statutes 1995 Supplement, section 116N.06, is amended to read:

116N.06 RURAL INVESTMENT GUIDE.

The ~~board, after appropriate study and public hearings as necessary,~~ commissioner 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

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Minnesota, and provide a plan to coordinate and allocate public and private resources to the rural areas of the state. The board commissioner shall submit the guide to the appropriate committees of the legislature. The guide shall be prepared every fourth year.

Sec. 12. INSTRUCTION TO REVISOR.

The revisor shall:

(1) recodify Minnesota Statutes 1994, section 116J.655, as Minnesota Statutes, section 121.72;

(2) recodify Minnesota Statutes, sections 116N.01, subdivisions 1, 3, 4, 5, 6, 7, and 8; 116N.02, subdivision 6; 116N.03, subdivision 1; 116N.06; and 116N.08, in Minnesota Statutes, chapter 116J, making conforming changes as necessary, correct references to those sections in Minnesota Statutes and Minnesota Rules, and change "board" where it means the rural development board to "commissioner" in those sections;

(3) change "rural development board" and "board" where it means the rural development board to "commissioner" in Minnesota Rules, chapter 4370.

Sec. 13. REPEALER.

Minnesota Statutes 1994, sections 116J.981; 116N.01, subdivision 2; 116N.02, subdivisions 2, 3, 4, and 5; 116N.04; and 116N.07; Minnesota Statutes 1995 Supplement, section 116N.02, subdivision 1; and Minnesota Rules, part 4370.0010, subpart 3, are repealed.

Presented to the governor March 23, 1996

Signed by the governor March 26, 1996, 10:17 a.m.

CHAPTER 370—H.F.No. 2588

An act relating to insurance; providing a process for resolving state claims for certain landfill cleanup costs and associated damages with insurers; authorizing an action by the state for recovery from insurers after a reasonable opportunity for settlement; proposing coding for new law in Minnesota Statutes, chapter 115B; repealing Minnesota Statutes 1994, sections 115B.44, subdivision 1; and 115B.46; Minnesota Statutes 1995 Supplement, sections 115B.44, subdivision 2; and 115B.45.

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

Section 1. [115B.441] INSURANCE CLAIMS SETTLEMENT AND RECOVERY PROCESS; FINDINGS AND PURPOSE.

(a) The legislature finds that:

(1) insurers have issued certain insurance policies to their policyholders that may have provided coverage for environmental response costs related to qualified facilities for which their policyholders bear legal responsibility;

(2) because the commissioner is required by law to take over responsibility for environmental response actions relating to all qualified facilities, any rights to coverage

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