

Commerce

CHAPTER 44A

WORLD TRADE CENTER

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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.

Subd. 6. **Minnesota world trade center.** "Minnesota world trade center" means the facility constructed in accordance with the development agreement.

History: 1987 c 312 art 2 s 1

44A.01 WORLD TRADE CENTER CORPORATION.

Subdivision 1. **Establishment.** 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.

(b) Legislator members are three members of the senate appointed under the rules of the senate and 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 enact-

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

Subd. 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. 4. Organization. The board shall elect a chair and an executive committee from its members.

History: 1984 c 654 art 2 s 70; 1986 c 444; 1Sp1986 c 3 art 4 s 3; 1987 c 312 art 2 s 2

44A.02 PRESIDENT.

Subdivision 1. Selection. The president of the world trade center 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 but may not exceed the top of the salary range set for the commissioner of finance under section 15A.081, subdivision 1.

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

Subd. 3. Employees. The president may appoint employees and prescribe their duties. Employees and officers of the corporation are not state employees, but are covered by section 3.736 and, 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.

History: 1984 c 654 art 2 s 71; 1Sp1986 c 3 art 4 s 4; 1987 c 312 art 2 s 3; 1988 c 667 s 21; 1988 c 708 s 1

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;
- (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.

History: 1987 c 312 art 2 s 4

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.

History: 1987 c 312 art 2 s 5

44A.03 [Repealed, 1987 c 312 art 2 s 12]

44A.031 PROMOTIONAL EXPENSES.

The board may expend money to carry out sections 44A.023 and 44A.025. Promotional expenses include, but are not limited to, expenses for the food, lodging and travel of consultants, 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.

History: 1Sp1986 c 3 art 4 s 5; 1987 c 312 art 2 s 6

44A.0311 WORLD TRADE CENTER CORPORATION ACCOUNT.

The world trade center corporation account is in the special revenue fund. 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 and by the sale of the assets or ownership of the corporation under section 44A.12, must be deposited in the account. Money in the account including interest earned is appropriated to the board and must be used exclusively for corporation purposes. Any money remaining in the account after sale of the assets or ownership of the corporation under section 44A.12 shall revert to the general fund.

History: 1987 c 312 art 2 s 7; 1989 c 335 art 4 s 16; 1992 c 513 art 3 s 22

44A.04 [Repealed, 1987 c 312 art 2 s 12]

44A.05 [Repealed, 1987 c 312 art 2 s 12]

44A.06 WORLD TRADE CENTER COSTS.

If a world trade center project of the kind contemplated by Laws 1983, chapter 301, section 29, is carried out, the participation of the state government is limited as provided in this section.

- (a) The state shall not own space in the center.
- (b) The state shall not rent more than ten percent of the gross space in the center.
- (c) The state shall not incur debt to assist the project.
- (d) The state shall not provide a special property tax classification that would give the center a more favorable property tax treatment than other office buildings.

History: 1984 c 654 art 2 s 75

44A.07 [Repealed, 1987 c 312 art 2 s 12]

44A.08 SERVICE INFORMATION; CLASSIFICATION OF DATA.

Subdivision 1. **Service information.** Information, including data bases, purchased by the board or developed by the board for sale pursuant to section 44A.023, is not subject to chapter 13.

Subd. 2. **Classification of data.** For purposes of this subdivision, "business transaction" means a transaction between parties other than the board. The following data received or developed by the board is private with respect to data on individuals and nonpublic with respect to data not on individuals:

- (1) Data relating to the financial condition of individuals or businesses receiving or performing services by or on behalf of the board.
- (2) At the request of either party to the transaction data on business transactions.
- (3) At the request of the person or business seeking the information, the identities of persons or businesses requesting business or trade information from the board, and the nature of the trade information.

History: 1Sp1986 c 3 art 4 s 7; 1989 c 209 art 2 s 1

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.

History: 1987 c 312 art 2 s 8

44A.12 PRIVATIZATION OF CORPORATION.

Subdivision 1. **Sale of corporation.** The board shall privatize the corporation through a sale of the assets or ownership of the corporation, on or before December 31, 1993.

Subd. 2. **Requests for proposals.** The board shall solicit proposals to privatize the corporation under subdivision 1.

Subd. 3. **Evaluation factors.** Proposals shall be evaluated according to, but not limited to, the following factors:

- (1) the ability of the proposed buyer to maintain the mission and vision of the world trade center;
- (2) the price offered by the proposed buyer for the assets or ownership of the corporation;
- (3) the extent to which the proposed buyer will assume any liabilities and obligations of the corporation;
- (4) the ability of the proposed buyer to provide the capital needed for continuing development, promotion and marketing of world trade center programs, services, and business activities; and
- (5) the ability of the proposed buyer to maintain and expand employment in the state of Minnesota using the assets or ownership purchased from the corporation.

Subd. 4. **Evaluation methods.** The board, in conjunction with the commissioner of the department of administration, shall establish:

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- (1) the relative importance of each factor in subdivision 3; and
- (2) other procedures to be used to review and evaluate proposals.

Subd. 5. Distribution of proceeds. The proceeds of the sale must be applied in the following order:

- (1) any liabilities and obligations of the corporation must be paid, satisfied, or discharged or adequate provision must be made to do so; and
- (2) any remaining proceeds must be deposited in the general fund.

Subd. 6. Approval. A final agreement for sale under this section is not effective until it has been approved by the board of the world trade center corporation and the commissioner of administration.

History: 1992 c 513 art 3 s 23