

Subd. 12. **POPULATION OF 1,000 OR LESS.** An officer of a government unit may contract with the unit to provide construction materials or services, or both, by when the sealed bid process is used and the unit has a population of 1,000 or less according to the last federal census. The officer may not vote on the question of the contract when it comes before the governing body for consideration.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor March 3, 1998

Signed by the governor March 5, 1998, 11:00 a.m.

CHAPTER 270—S.F.No. 2315

An act relating to technology; making technical changes to show director of office of technology as member of various organizations; amending Minnesota Statutes 1996, sections 62J.451, subdivision 9; and 116O.03, subdivision 2; Minnesota Statutes 1997 Supplement, section 44A.01, subdivision 2; and Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended.

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

Section 1. Minnesota Statutes 1997 Supplement, section 44A.01, subdivision 2, is amended to read:

Subd. 2. **BOARD MEMBERSHIP.** The corporation is governed by a board of directors consisting of:

(1) four members, representing the international business community, elected to three-year terms by the association of members established under section 44A.023, subdivision 2, clause (5);

(2) four members, representing the international business community, appointed by the governor, to serve at the governor's pleasure;

(3) the mayor of St. Paul or the mayor's designee;

(4) the commissioners of trade and economic development, agriculture, and commerce; ~~and~~

(5) the director of the office of technology; and

(6) three members of the house appointed by the speaker of the house and three members of the senate appointed under the rules of the senate, who serve as nonvoting members. One member from each house must be a member of the minority party of that house. Legislative members 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.

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Members appointed by the governor must be knowledgeable or experienced in international trade in products or services.

Sec. 2. Minnesota Statutes 1996, section 62J.451, subdivision 9, is amended to read:

Subd. 9. **BOARD OF DIRECTORS.** (a) The health data institute is governed by a ~~20-member~~ 21-member board of directors consisting of the following 20 voting members:

(1) two representatives of hospitals appointed by the Minnesota Hospital and Health Care Partnership, to reflect a mix of urban and rural institutions;

(2) four representatives of health carriers, two appointed by the Minnesota council of health maintenance organizations, one appointed by Blue Cross and Blue Shield of Minnesota, and one appointed by the Insurance Federation of Minnesota;

(3) two consumer members, one appointed by the commissioner, and one appointed by the AFL-CIO as a labor union representative;

(4) five group purchaser representatives appointed by the Minnesota consortium of health care purchasers to reflect a mix of urban and rural, large and small, and self-insured purchasers;

(5) two physicians appointed by the Minnesota Medical Association, to reflect a mix of urban and rural practitioners;

(6) one representative of teaching and research institutions, appointed jointly by the Mayo Foundation and the Minnesota Association of Public Teaching Hospitals;

(7) one nursing representative appointed by the Minnesota Nurses Association; and

(8) three representatives of state agencies, one member representing the department of employee relations, one member representing the department of human services, and one member representing the department of health.

(b) In addition, the board consists of one nonvoting member, the director of the office of technology.

Sec. 3. Minnesota Statutes 1996, section 116O.03, subdivision 2, is amended to read:

Subd. 2. **BOARD OF DIRECTORS.** The corporation is governed by a board of 14 ~~15~~ directors. 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:

(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) the director of the office of technology;

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(6) 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) (7) 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 50 percent of the members described in clauses (5) (6) and (6) (7) 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. 4. Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended by Laws 1997, First Special Session chapter 4, article 9, section 2., is amended to read:

Subdivision 1. **STATE COUNCIL MEMBERSHIP.** The membership of the Minnesota education telecommunications council established in Laws 1993, First Special Session chapter 2, is expanded to include representatives of elementary and secondary education. The membership shall consist of three representatives from the University of Minnesota; three representatives of the board of trustees for Minnesota state colleges and universities; one representative of the higher education services offices; one representative appointed by the private college council; eight representatives selected by the commissioner of children, families, and learning, at least one of which must come from each of the six higher education telecommunication regions; a representative from the director of the information policy office of technology; two members each from the senate and the house of representatives selected by the subcommittee on committees of the committee on rules and administration of the senate and the speaker of the house, one member from each body must be a member of the minority party; and three representatives of libraries, one representing regional public libraries, one representing multitype libraries, and one representing community libraries, selected by the governor. The council shall:

(1) develop a statewide vision and plans for the use of distance learning technologies and provide leadership in implementing the use of such technologies;

(2) recommend to the commissioner and the legislature by December 15, 1996, a plan for long-term governance and a proposed structure for statewide and regional telecommunications;

(3) recommend educational policy relating to telecommunications;

(4) determine priorities for use;

(5) oversee coordination of networks for post-secondary campuses, K-12 education, and regional and community libraries;

(6) review application for telecommunications access grants under Minnesota Statutes, section 124C.74, and recommend to the department grants for funding;

(7) determine priorities for grant funding proposals; and

(8) work with the information policy office of technology to ensure consistency of the operation of the learning network with standards of an open system architecture.

The council shall consult with representatives of the telecommunication industry in implementing this section.

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Sec. 5. EFFECTIVE DATE.

Sections 1 to 4 are effective retroactively to July 1, 1997.

Presented to the governor March 3, 1998

Signed by the governor March 5, 1998, 11:02 a.m.

CHAPTER 271—S.F.No. 2354

An act relating to employee relations; modifying provisions governing the public employees insurance program; amending Minnesota Statutes 1996, section 43A.316, subdivision 2.

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

Section 1. Minnesota Statutes 1996, section 43A.316, subdivision 2, is amended to read:

Subd. 2. **DEFINITIONS.** For the purpose of this section, the terms defined in this subdivision have the meaning given them.

(a) **COMMISSIONER.** "Commissioner" means the commissioner of employee relations.

(b) **EMPLOYEE.** "Employee" means:

(1) a person who is a public employee within the definition of section 179A.03, subdivision 14, who is insurance eligible and is employed by an eligible employer;

(2) an elected public official of an eligible employer who is insurance eligible; or

(3) a person employed by a labor organization or employee association certified as an exclusive representative of employees of an eligible employer or by another public employer approved by the commissioner, so long as the plan meets the requirements of a governmental plan under United States Code, title 29, section 1002(32); or

(4) a person employed by a county or municipal hospital.

(c) **ELIGIBLE EMPLOYER.** "Eligible employer" means:

(1) a public employer within the definition of section 179A.03, subdivision 15, that is a town, county, city, school district as defined in section 120.02, service cooperative as defined in section 123.582, intermediate district as defined in section 136D.01, cooperative center for vocational education as defined in section 123.351, regional management information center as defined in section 121.935, or an education unit organized under the joint powers action, section 471.59; or

(2) an exclusive representative of employees, as defined in paragraph (b); or

(3) a county or municipal hospital; or

(4) another public employer approved by the commissioner.

(d) **EXCLUSIVE REPRESENTATIVE.** "Exclusive representative" means an exclusive representative as defined in section 179A.03, subdivision 8.

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