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ARTICLE 3

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EXPLORE MINNESOTA

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Section 1. Minnesota Statutes 2022, section 116U.05, is amended to read:

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116U.05 EXPLORE MINNESOTA TOURISM.

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Explore Minnesota ~~Tourism~~ is ~~created~~ as an office in the executive branch with a director appointed by the governor. The director is under the supervision of the commissioner of employment and economic development and oversees Explore Minnesota Tourism and Explore Minnesota for Business divisions. The director serves in the unclassified service and must be qualified by experience and training in ~~travel and tourism~~ related fields.

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Sec. 2. **[116U.06] EXPLORE MINNESOTA TOURISM.**

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Explore Minnesota Tourism is a division of Explore Minnesota and exists to support Minnesota's economy through promotion and facilitation of travel to and within the state of Minnesota.

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Sec. 3. **[116U.07] EXPLORE MINNESOTA FOR BUSINESS.**

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Explore Minnesota for Business is a division of Explore Minnesota. Its mission is to promote overall livability and workforce and economic opportunity in Minnesota. Explore Minnesota for Business works in conjunction with the department of employment and economic development to establish and meet statewide goals in these areas.

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Sec. 4. Minnesota Statutes 2022, section 116U.10, is amended to read:

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116U.10 DEFINITIONS.

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Subdivision 1. **Scope.** ~~As used in~~ For the purposes of this chapter, the terms defined in this section have the meanings given them.

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Subd. 2. **Director.** "Director" means the executive director of Explore Minnesota ~~Tourism~~.

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Subd. 3. **Office.** "Office" means Explore Minnesota ~~Tourism~~.

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Sec. 5. Minnesota Statutes 2022, section 116U.15, is amended to read:

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116U.15 MISSION.

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(a) The mission of Explore Minnesota ~~Tourism~~ is to promote and facilitate increased travel to and within the state of Minnesota, promote overall livability, and promote workforce and economic opportunity in Minnesota. To further the mission of Explore Minnesota, the office is advised by councils focused on tourism and talent attraction and business marketing.
Its goals are to:

- 55.4 (1) expand public and private partnerships through increased interagency efforts and
 55.5 increased tourism and business industry participation;
- 55.6 (2) increase productivity through enhanced flexibility and options; and
- 55.7 (3) use innovative fiscal and human resource practices to manage the state's resources
 55.8 and operate the office as efficiently as possible.
- 55.9 (b) The director shall report to the legislature on the performance of the office's operations
 55.10 and the accomplishment of its goals in the office's biennial budget according to section
 55.11 16A.10, subdivision 1.
- 55.12 Sec. 6. Minnesota Statutes 2022, section 116U.20, is amended to read:
- 55.13 **116U.20 ORGANIZATION.**
- 55.14 The director shall:
- 55.15 (1) employ assistants and other officers, employees, and agents that the director considers
 55.16 necessary to discharge the functions of the office; ~~and~~
- 55.17 (2) define the duties of the officers, employees, and agents, and delegate to them any of
 55.18 the director's powers, duties, and responsibilities, subject to the director's control and under
 55.19 conditions prescribed by the director;
- 55.20 (3) oversee the overall strategy and budgets of the Tourism and Business divisions; and
- 55.21 (4) chair or cochair and oversee the Tourism and Business councils.
- 55.22 Sec. 7. **[116U.24] EXPLORE MINNESOTA COUNCILS.**
- 55.23 (a) The director shall be advised by the Explore Minnesota Tourism Council and Explore
 55.24 Minnesota for Business Council, each consisting of voting members appointed by the
 55.25 governor for four-year terms. The director of Explore Minnesota serves as the chair or
 55.26 cochair of each council. The director may assign employees of the office to participate in
 55.27 oversight of council operations.
- 55.28 (b) Each council shall act to serve the broader interests of the council's divisions by
 55.29 promoting activities and programs of the office that support, maintain, and expand the state's
 56.1 domestic and international travel and trade markets, thereby generating increased visitor
 56.2 expenditures, revenue, and employment.
- 56.3 (c) Filling of membership vacancies is as provided in section 15.059. The terms of
 56.4 one-half of the members shall be coterminous with the governor, and the terms of the
 56.5 remaining one-half of the members shall end on the first Monday in January one year after
 56.6 the terms of the other members. Members may serve until their successors are appointed
 56.7 and qualify. Members are not compensated. A member may be reappointed.

56.8 (d) The council shall meet at least four times per year and at other times determined by
56.9 each council.

56.10 (e) If compliance with section 13D.02 is impractical, the Explore Minnesota councils
56.11 may conduct a meeting of their members by telephone or other electronic means so long as
56.12 the following conditions are met:

56.13 (1) all members of each council participating in the meeting, wherever their physical
56.14 location, can hear one another and can hear all discussion and testimony;

56.15 (2) members of the public present at the regular meeting location of the council can hear
56.16 clearly all discussion and testimony and all votes of members of each council and, if needed,
56.17 receive those services required by sections 15.44 and 15.441;

56.18 (3) at least one member of each council is physically present at the regular meeting
56.19 location; and

56.20 (4) all votes are conducted by roll call, so each member's vote on each issue can be
56.21 identified and recorded.

56.22 (f) Each member of each council participating in a meeting by telephone or other
56.23 electronic means is considered present at the meeting for purposes of determining a quorum
56.24 and participating in all proceedings.

56.25 (g) If telephone or other electronic means is used to conduct a meeting, each council, to
56.26 the extent practicable, shall allow a person to monitor the meeting electronically from a
56.27 remote location. Each council may require the person making such a connection to pay for
56.28 documented marginal costs that each council incurs as a result of the additional connection.

56.29 (h) If telephone or other electronic means is used to conduct a regular, special, or
56.30 emergency meeting, the council shall provide notice of the regular meeting location, of the
56.31 fact that some members may participate by telephone or other electronic means, and whether
56.32 a cost will be incurred under paragraph (f). The timing and method of providing notice is
56.33 governed by section 13D.04.

57.1 Sec. 8. **[116U.242] EXPLORE MINNESOTA FOR BUSINESS COUNCIL.**

57.2 (a) The director shall be advised by the Explore Minnesota for Business Council
57.3 consisting of up to 14 voting members appointed by the governor for four-year terms,
57.4 including:

57.5 (1) the director of Explore Minnesota and the commissioner of employment and economic
57.6 development, who serve as cochairs;

57.7 (2) three representatives in marketing, human resources, or executive leadership from
57.8 Minnesota-based companies with more than 100 employees representing Minnesota's key

- 57.9 industries, including health care, technology, food and agriculture, manufacturing, retail,
57.10 energy, and support services;
- 57.11 (3) two representatives from statewide or regional marketing or business association
57.12 leadership, the Iron Range, and nonprofits focused on economic development or human
57.13 resource management;
- 57.14 (4) one representative from a Minnesota college or university staff, faculty, leadership,
57.15 student leadership, or alumni association;
- 57.16 (5) one member representing Minnesota's start-up and entrepreneurial industry who has
57.17 started at least one Minnesota-based business in the last five years and has at least 20
57.18 employees;
- 57.19 (6) two representatives from the Minnesota Indian Affairs Council and Minnesota Tribal
57.20 leadership, including casino management;
- 57.21 (7) two representatives from Minnesota's Ethnic Chambers of Commerce Leadership
57.22 and the Minnesota Chamber of Commerce; and
- 57.23 (8) one at-large representative in the field of general marketing, talent attraction, or
57.24 economic development.
- 57.25 (b) The council shall act to serve the broader interest of promoting overall livability and
57.26 workforce and economic opportunity in Minnesota. Members shall advise Explore Minnesota
57.27 for Business' marketing efforts by emphasizing and prioritizing diversity, equity, inclusion,
57.28 and accessibility and providing professional marketing insights.
- 57.29 Sec. 9. Minnesota Statutes 2022, section 116U.30, is amended to read:
- 57.30 **116U.30 DUTIES OF DIRECTOR.**
- 57.31 (a) The director shall:
- 58.1 (1) publish, disseminate, and distribute informational and promotional materials;
- 58.2 (2) promote and encourage the coordination of Minnesota travel, tourism, overall
58.3 livability, and workforce and economic opportunity promotion efforts with other state
58.4 agencies and develop multiagency marketing strategies when appropriate;
- 58.5 (3) promote and encourage the expansion and development of international tourism,
58.6 trade, and Minnesota livability marketing;
- 58.7 (4) advertise and disseminate information about Minnesota travel, tourism, and workforce
58.8 and economic development opportunities;
- 58.9 (5) aid various local communities to improve their travel, tourism, and overall livability
58.10 marketing programs;

58.11 (6) coordinate and implement a comprehensive state travel, tourism, workforce and
58.12 economic development, and overall livability marketing program ~~programs~~ that ~~takes~~ take
58.13 into consideration public and private businesses and attractions;

58.14 (7) contract, in accordance with section 16C.08, for professional services if the work or
58.15 services cannot be satisfactorily performed by employees of the agency or by any other
58.16 state agency;

58.17 (8) provide local, regional, and statewide ~~tourism~~ organizations with information,
58.18 technical assistance, training, and advice on using state tourism and livability information
58.19 and programs; and

58.20 (9) generally gather, compile, and make available statistical information relating to
58.21 Minnesota travel, tourism, workforce and economic development, overall livability, and
58.22 related areas in this state, with. The director has the authority to call upon other state agencies
58.23 for statistical data and results obtained by them and to arrange and compile that statistical
58.24 information.

58.25 (b) The director may:

58.26 (1) apply for, receive, and spend money for travel, tourism, workforce and economic
58.27 development, and overall livability development and marketing from other agencies ~~and~~
58.28 ~~tourism~~, organizations, and businesses;

58.29 (2) apply for, accept, and disburse grants and other aids for tourism development and
58.30 marketing from the federal government and other sources;

58.31 (3) enter into joint powers or cooperative agreements with agencies of the federal
58.32 government, local governmental units, regional development commissions, other state
59.1 agencies, the University of Minnesota and other educational institutions, other states,
59.2 Canadian provinces, and local, statewide, and regional ~~tourism~~ organizations as necessary
59.3 to perform the director's duties;

59.4 (4) enter into interagency agreements and agree to share net revenues with the contributing
59.5 agencies;

59.6 (5) make grants;

59.7 (6) conduct market research and analysis to improve marketing techniques in the area
59.8 of travel, tourism, workforce and economic development, and overall livability;

59.9 (7) monitor and study trends in the ~~tourism industry~~ related industries and provide
59.10 resources and training to address change;

59.11 (8) annually convene conferences of Minnesota ~~tourism~~ providers for the purposes of
59.12 exchanging information on tourism development, coordinating marketing activities, and
59.13 formulating tourism, overall livability, and workforce and economic opportunity promotion
59.14 development strategies; and

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(9) enter into ~~tourism~~ promotion contracts or other agreements with private persons and public entities, including agreements to establish and maintain offices and other types of representation in foreign countries; to promote international travel and to implement this chapter.

(c) Contracts for goods and nonprofessional technical services made under paragraph (b), clauses (3) and (9), are not subject to the provisions of sections 16C.03, subdivision 3, and 16C.06 concerning competitive bidding and section 16C.055 concerning barter arrangements. ~~Unless otherwise determined by the commissioner of administration, all other provisions of chapter 16C apply to this section, including section 16C.08, relating to professional and technical services.~~ Contracts may be negotiated and are not subject to the provisions of chapter 16C relating to competitive bidding.

Sec. 10. Minnesota Statutes 2022, section 116U.35, is amended to read:

116U.35 PROMOTIONAL EXPENSES.

To promote travel, tourism, workforce and economic development, and overall livability of the state, the director may expend money appropriated by the legislature for these purposes in the same manner as private persons, firms, corporations, and associations make expenditures for these purposes. Policies on promotional expenses must be approved by ~~the Explore Minnesota Tourism Council and~~ the commissioner of administration. A policy for expenditures on food, lodging, and travel must be approved by the commissioner of management and budget. No money may be expended for the appearance in radio or television broadcasts by an elected public official.