ARTICLE 3

EXPLORE MINNESOTA

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

116U.05 EXPLORE MINNESOTA TOURISM.

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.

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

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.

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

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.

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

116U.10 DEFINITIONS.

Subdivision 1. Scope. As used in this chapter, the terms defined in this section have the meanings given them.

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

Subd. 3. Office. "Office" means Explore Minnesota.

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

116U.15 MISSION.

(a) The mission of Explore Minnesota 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:

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(1) expand public and private partnerships through increased interagency efforts and
increased tourism and business industry participation;
(2) increase productivity through enhanced flexibility and options; and
(3) use innovative fiscal and human resource practices to manage the state's resources
and operate the office as efficiently as possible.

(b) The director shall report to the legislature on the performance of the office's operations
and the accomplishment of its goals in the office's biennial budget according to section
16A.10, subdivision 1.

Sec. 6. Minnesota Statutes 2022, section 116U.20, is amended to read:

116U.20 ORGANIZATION.

The director shall:
(1) employ assistants and other officers, employees, and agents that the director considers
necessary to discharge the functions of the office; and
(2) define the duties of the officers, employees, and agents, and delegate to them any of
the director's powers, duties, and responsibilities, subject to the director's control and under
conditions prescribed by the director;
(3) oversee the overall strategy and budgets of the Tourism and Business divisions; and
(4) chair or cochair and oversee the Tourism and Business councils.

Sec. 7. [116U.24] EXPLORE MINNESOTA COUNCILS.

(a) The director shall be advised by the Explore Minnesota Tourism Council and Explore
Minnesota for Business Council, each consisting of voting members appointed by the
governor for four-year terms. The director of Explore Minnesota serves as the chair or
cochair of each council. The director may assign employees of the office to participate in
oversight of council operations.

(b) Each council shall act to serve the broader interests of the council's divisions by
promoting activities and programs of the office that support, maintain, and expand the state's
domestic and international travel and trade markets, thereby generating increased visitor
expenditures, revenue, and employment.

(c) Filling of membership vacancies is as provided in section 15.059. The terms of
one-half of the members shall be coterminous with the governor, and the terms of the
remaining one-half of the members shall end on the first Monday in January one year after
the terms of the other members. Members may serve until their successors are appointed
and qualify. Members are not compensated. A member may be reappointed.
(d) The council shall meet at least four times per year and at other times determined by each council.

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

1. all members of each council participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;
2. members of the public present at the regular meeting location of the council can hear clearly all discussion and testimony and all votes of members of each council and, if needed, receive those services required by sections 15.44 and 15.441;
3. at least one member of each council is physically present at the regular meeting location; and
4. all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

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

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

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

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

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

1. the director of Explore Minnesota and the commissioner of employment and economic development, who serve as cochairs;
2. three representatives in marketing, human resources, or executive leadership from Minnesota-based companies with more than 100 employees representing Minnesota's key
industries, including health care, technology, food and agriculture, manufacturing, retail, energy, and support services;

(3) two representatives from statewide or regional marketing or business association leadership, the Iron Range, and nonprofits focused on economic development or human resource management;

(4) one representative from a Minnesota college or university staff, faculty, leadership, student leadership, or alumni association;

(5) one member representing Minnesota's start-up and entrepreneurial industry who has started at least one Minnesota-based business in the last five years and has at least 20 employees;

(6) two representatives from the Minnesota Indian Affairs Council and Minnesota Tribal leadership, including casino management;

(7) two representatives from Minnesota's Ethnic Chambers of Commerce Leadership and the Minnesota Chamber of Commerce; and

(8) one at-large representative in the field of general marketing, talent attraction, or economic development.

(b) The council shall act to serve the broader interest of promoting overall livability and workforce and economic opportunity in Minnesota. Members shall advise Explore Minnesota for Business' marketing efforts by emphasizing and prioritizing diversity, equity, inclusion, and accessibility and providing professional marketing insights.

Sec. 9. Minnesota Statutes 2022, section 116U.30, is amended to read:

116U.30 DUTIES OF DIRECTOR.

(a) The director shall:

(1) publish, disseminate, and distribute informational and promotional materials;

(2) promote and encourage the coordination of Minnesota travel, tourism, overall livability, and workforce and economic opportunity promotion efforts with other state agencies and develop multiagency marketing strategies when appropriate;

(3) promote and encourage the expansion and development of international tourism, trade, and Minnesota livability marketing;

(4) advertise and disseminate information about Minnesota travel, tourism, and workforce and economic development opportunities;

(5) aid various local communities to improve their travel, tourism, and overall livability marketing programs;
(6) coordinate and implement a comprehensive state travel, tourism, workforce and economic development, and overall livability marketing program that take into consideration public and private businesses and attractions;

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

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

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

(b) The director may:

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

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

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

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

(5) make grants;

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

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

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