

## CHAPTER 472

## MINNESOTA AREA REDEVELOPMENT ACT

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**472.03 DEFINITIONS.**

*[For text of subds 1 to 8, see M.S.1984]*

Subd. 9. "Minnesota account" means the account appropriated to the energy and economic development authority by section 472.13, to assist a local agency in financing or planning a redevelopment project.

*[For text of subds 10 to 13, see M.S.1984]*

**History:** 1983 c 289 s 115 subd 1(d); 1Sp1985 c 13 s 348

**472.08 SCHEDULE OF POWERS.**

Subdivision 1. A local redevelopment agency shall be a public body corporate and politic and shall have all the powers necessary or convenient to carry out the purposes of sections 472.01 to 472.16; provided that such agencies shall not have the power to levy and collect taxes or special assessments, nor shall any agency exercise the power of eminent domain unless the governing body of the municipality or municipalities, in the case of a joint exercise of power, shall by resolution have expressly conferred such power on the agency. A local redevelopment agency shall also have the following powers in addition to others granted in sections 472.01 to 472.16:

(1) to sue and be sued, to have a seal, which shall be judicially noticed, and to alter the same at pleasure; to have perpetual succession; and to make, and from time to time amend and repeal, rules and regulations not inconsistent with these sections;

(2) to employ an executive director, technical experts, and such officers, agents and employees, permanent and temporary, as it may require, and determine their qualifications, duties, and compensation; for such legal service as it may require, to call upon the chief law officer of the municipality or to employ its own counsel and legal staff; so far as practical, to use the services of local public bodies, in its area of operation, such local bodies, if requested, to make such services available;

(3) to delegate to one or more of its agents or employees such powers or duties as it may deem proper;

(4) to approve, upon proper application by a public instrumentality or facility or private applicant, a redevelopment project after first determining that the declared public purpose of sections 472.01 to 472.16 will be accomplished by the establishment of such project in the redevelopment area;

(5) to sell, transfer, convey, or otherwise dispose of real or personal property or any interest therein, and to execute such leases, deeds, conveyances, negotiable instruments, purchase agreements, and other contracts or instruments, and take such action as may be necessary or convenient to carry out the purposes of these sections;

(6) within its area of operation to acquire real or personal property or any interest therein by gift, grant, purchase, exchange, lease, transfer, bequest, devise, or otherwise, and, when authorized as provided for herein, by the exercise of the power

of eminent domain, in the manner provided by chapter 117, and any amendments thereof, to acquire real property which it may deem necessary for its purposes under these sections, after the adoption by it of a resolution declaring that the acquisition of the real property is necessary to eliminate one or more of the conditions found to exist in the resolution adopted pursuant to section 472.04, subdivision 1;

(7) to determine and designate redevelopment areas;

(8) to cooperate with industrial development corporations, state and federal agencies, and private persons or corporations in their efforts to promote the expansion of recreational, commercial, industrial, and manufacturing activity in a redevelopment area;

(9) to determine upon proper application by any public body or private applicant whether the declared public purpose of these sections has been accomplished or will be accomplished by the establishment of a redevelopment project in a redevelopment area;

(10) to conduct examinations and investigations to obtain information necessary to the determination and designation of a redevelopment area and the establishment of a redevelopment project therein;

(11) to cooperate with or act as agent for the federal government, the state, or any state public body or any agency or instrumentality thereof in carrying out the provisions of these sections or of any other related federal, state, or local legislation;

(12) to borrow money or other property and accept contributions, grants, gifts, services or other assistance from the federal or state government to accomplish the purposes of sections 472.01 to 472.16;

(13) to conduct mined underground space development pursuant to sections 472B.03 to 472B.07.

*[For text of subd 2, see M.S.1984]*

**History:** 1985 c 194 s 26

#### **472.11 LOANS TO REDEVELOPMENT AGENCIES.**

*[For text of subds 1 and 2, see M.S.1984]*

Subd. 3. Money loaned by the energy and economic development authority to the local agency shall be withdrawn from the Minnesota account established by section 472.13, and paid over to the local agency in such manner as shall be provided and prescribed by the rules and regulations of the energy and economic development authority.

*[For text of subds 4 to 8, see M.S.1984]*

Subd. 9. The energy and economic development authority is empowered to provide technical assistance loans from the Minnesota account for the development and planning of redevelopment projects. The technical assistance loans may be provided through the payment of money to: (a) other state agencies or departments; (b) the employment of private individuals; (c) the employment of public, private, or nonprofit firms; (d) state, area, district, or local organizations; or (e) other nonprofit institutions. Money awarded pursuant to clauses (b) and (c) shall be in the form of loans and shall be repaid unless the project is deemed unfeasible by the energy and economic development authority. The energy and economic development authority shall require the repayment of some or all technical assistance money and shall prescribe the terms and conditions of the repayment. The amount of technical assistance loans is limited to an aggregate of ten percent of the money

available in the Minnesota account. The technical assistance loans shall not be included when computing the 20 percent limitation provided in section 472.125. The energy and economic development authority may loan technical assistance money in cooperation with the technical assistance grant programs of any agency of the federal government. The energy and economic development authority may prescribe rules to carry out the purposes of this subdivision.

**History:** 1983 c 289 s 115 subd 1(d); 1Sp1985 c 13 s 349,350

#### **472.125 PARTICIPATION IN FEDERAL LOANS OR GUARANTEES.**

The energy and economic development authority may participate with the appropriate federal agency under the Rural Development Act of 1972, the Public Works and Economic Development Act of 1965, or the Small Business Act in the financing of redevelopment projects. Such participation may take the form of loans or guarantees of any balance remaining after federal participation. The loans or guarantees shall be made subject to the conditions and limitations set forth in sections 472.11 and 472.12. In no event shall a loan or guarantee exceed 20 percent of the total cost of the project. In addition, the total guarantees outstanding at any time shall not exceed five times the balance in the Minnesota account.

**History:** 1983 c 289 s 115 subd 1(d); 1Sp1985 c 13 s 351

#### **472.13 MINNESOTA ACCOUNT.**

**Subdivision 1. Account created.** In the economic development fund created in section 116M.06, subdivision 4, there is created a Minnesota account, to be drawn upon and used by the authority in the manner and for the purposes provided for in sections 472.01 to 472.16.

**Subd. 2. Loans.** The authority shall have the power, from time to time, to draw upon the Minnesota account the amounts the authority determines for loans to local or area redevelopment agencies for the financing and planning of redevelopment projects. When the amounts so allocated by the authority as loans to local or area redevelopment agencies are repaid to the authority pursuant to the terms of its agreements with the local agency, the authority shall pay the amounts into the Minnesota account, it being the purpose and intent of this section that the account shall operate as a revolving account whereby all appropriations and payments made to it may be applied and reapplied to the purposes of sections 472.01 to 472.16 and shall not revert to the general fund of the state.

**Subd. 3. Excess money.** If the authority determines that money held for the credit of the Minnesota account is in excess of the amounts needed by the authority to carry out the purposes of sections 472.01 to 472.16, the authority may by resolution release the excess from the account and transfer it to the general fund of the state treasury.

**Subd. 4. Matching money.** The authority may utilize any money in the Minnesota account for the purpose of matching federal money available under the Public Works and Economic Development Act of 1965.

**History:** 1Sp1985 c 13 s 352