

# REGIONAL PLANNING AND DEVELOPMENT IN MINNESOTA

A Handbook on Executive Order No. 60  
and the Regional Development Act of 1969

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## I. INTRODUCTION

Through Executive Order of the Governor and Legislative action, Minnesota has embarked on an ambitious new program to improve the quality of public services to its citizens. Loosely termed "regionalization" the plan aims at establishing the legal and administrative tools to coordinate the many efforts at the federal, state and local government level to stimulate areawide approaches to common problems, and to eliminate the duplication of planning and program activity which characterizes the present intergovernmental system.

There are three factors that underlie the movement toward regionalization;

- (a) A growing awareness on the part of citizen and government officials of the need for a broader outlook when planning for improved public facilities;
- (b) A recognition by state government that sound state planning can only be accomplished successfully on the basis of sound local and regional planning; and
- (c) The requirements of both the state and federal government that planning is a prerequisite for financial assistance.

The regional approach embodied in the Regional Development Act gives Minnesota the mechanism for directing these three forces into effective organization and action.

The purpose of this manual is to give state and local governmental officials — and the public in general — an understanding of the purposes of the regionalization program and a working knowledge of how to implement the provisions of the Executive Order and the new law. The background of the program is discussed, and the mechanics of the system are outlined in a general way. Also included are the text of the Executive Order and the Statute and some suggested forms for use by local units of government.

It should be noted that the success of the regional program depends in great measure upon the enthusiasm and ingenuity of local government officials. Many elements of the program such as final regional boundaries, internal management, citizen membership and the creation of regional commissions themselves — are left flexible,

and there is maximum provision for local government participation. The potential benefits of regionalization cannot be achieved without a cooperative spirit at all levels of government.

## II. MINNESOTA'S REGIONAL SYSTEM

In February 1969 the State Planning Agency published a report entitled "A Regional Planning and Development System for Minnesota." This was a brief summary of a year's research into regionalism. It concluded with recommendations for (1) division of the state into 11 regions and (2) enabling legislation to permit the establishment of Regional Planning and Development Councils. Following is a review of the research findings and the recommendations.

### A. Forces Promoting Regionalism

Regional planning and coordination is not a new concept in Minnesota. As early as 1943 the Minnesota Legislature passed the "Joint Powers Act". This Act permits any two units of government to do jointly things each can do individually. Since then many units of government have cooperated on such things as purchasing, road maintenance, police and fire service and planning.

More recently there has been a marked increase in multi-governmental efforts, much of which has had its beginning in federal legislation. However, this legislation is itself a response to more basic factors such as population, migration, air and water pollution, open space needs, resource and economic development, and human resource development — problems that require an areawide solution. Federal legislation in turn has been the leading force creating the need for a State Regional System. Following is a brief discussion of some of the forces promoting regionalism.

#### 1. Regional Problems —

As population mobility has increased and as technology has advanced, problems that had been confined to one governmental unit or one small area have become of areawide significance. Concentration of the unemployed and underemployed, moving of the more affluent to the suburbs and the ex-urban countryside, increased traffic on local roads, these and other problems are a direct result of increased mobility.

Eutrophication of lakes speeded up by agricultural fertilizer runoff, thermal pollution from generator installations, noise pollution from jumbo jets, and smog from many sources, also reflect some of the results of technological advances.

Finding and then implementing the solution to these problems requires cooperation on an areawide basis. This realization has led to an increased number of multi-county federal programs as well as increased number of contracts for inter-governmental cooperation.

2. Federal Grants and Programs –

Within the last few years the number of federal programs requiring a multi-county area has shown a rapid increase. This trend is the result of a number of factors:

- (a) The sparse population in some parts of the country requires a number of counties be aggregated before an adequate threshold population is reached
- (b) The realization that some problems can only be dealt with on an areawide basis
- (c) The need to provide for coordination of federal grants between units of local government. Whatever the rationale for the program the existence of federal grants for multi-county areas has quickly spawned multi-county organizations. Often the federal guidelines permits the creation of a private non-profit corporation to be the recipient of the grant, thereby bypassing state and local government.

3. Intergovernmental Cooperation \*–

A growing awareness of areawide problems by local government has also led to a rapid increase in intergovernmental cooperative agreements in Minnesota. The eight years preceding 1966 indicate

an especially large increase in intergovernmental contracts. The majority of these contracts were for the provision of public services. This increase has been interpreted as a response to the need for better public services without a corresponding increase in public revenue.

If this interpretation is correct then it would follow that provision of services on an areawide basis is more economical per capita than providing the same service to a smaller area. This becomes a very compelling argument for regionalization, especially in the more sparsely settled areas of the state.

4. Administration of Programs by State Agencies –

State agencies responsible for administration of various programs have found it convenient to divide the state into regions for the purpose of assigning a field man to each region. A State Planning Agency study identified some 80 different sub-state regional delineations made by state agencies. In some departments there were as many as 12 different delineations. This proliferation of regions and field service personnel can only result in confusion for the Minnesotan seeking services from a state agency and demonstrates a lack of coordination between state programs.

B. A Uniform Regional System?

In view of the previous section it must be obvious that Minnesota has had its share of regionalism. However, the form taken by regionalism has been anything but coordinated. In 1966 President Johnson took the first step towards resolving some of the existing confusion. On September 2, 1966, he issued a Presidential Memorandum calling for procedures that would encourage:

- State and local planning agencies to work together in using common or consistent planning bases (i.e. statistical and economic estimate) and in sharing planning facilities and resources;

\* For additional data on this subject, see a Manual for Interlocal Cooperation in Minnesota by Dr. Leigh Grosenick prepared for the Office of Local and Urban Affairs.

- Utilization of common boundaries for planning and development districts or regions assisted by the federal government and consistency of such districts with established state planning and development districts and regions.

Shortly thereafter, the Bureau of the Budget issued Circular No. A-80 implementing the President's memo. The underlying principle of the Circular was that federal agencies should develop procedures for their programs that would insure compliance with the memo. If a state had delineated sub-state regions, the federal agencies were instructed to honor the regional boundaries for federal multi-county programs. Minnesota was faced with a decision -- should the present trend be allowed to continue, or should a framework be established for a uniform regional system?

1. Continuing the Present Regional "System" --

The developing conglomeration of regions, in many cases of an ad hoc nature, was becoming somewhat of a problem. Counties were being grouped together for federal programs with no evident logic. State agencies administering programs had divided the state into three regions because they had a three member field staff. Private non-profit corporations were being established to receive federal grants directly from Washington. In some cases these private non-profit corporations were assigning priorities to applications for federal grants made by cities, villages and counties. It was found that in some instances a particular county was participating in three or four different federal programs in each case with a different grouping of counties.

There was general agreement that something should be done to alter this situation. In November 1967 Governor LeVander, by Executive Order No. 9, established 7 sub-state planning areas and instructed the State Planning Agency to evaluate the impact of the Order.

2. Evaluation of Executive Order No. 9 --  
During 1968 the State Planning Agency employed three consultants to investigate three aspects of regionalism:

- (a) The acceptance and utility of Executive Order No. 9;
- (b) The structure for organizing local government on a regional basis;
- (c) The feasibility of delivering state services on the basis of uniform regions.

The studies formed the basis of the recommendations ultimately made by the State Planning Agency. Some of the findings of the first study are particularly interesting.

- Representatives of state departments indicated agreement to the use of uniform regions for planning (32 of 36) and administration (29 of 36).
- Only 6 of 37 state agencies answered "no" to the question: "In your opinion should a common set of regions be used by all state agencies for comprehensive long-range planning purposes?"
- Representatives of other agencies (federal, quasi-governmental, private) indicated agreement to the use of uniform regions for planning (12 of 12) and administration (12 of 15). Only 2 of 14 answered "no" to the question stated above.
- Some 150 different regional delineations of the state were identified.
- A number of state and federal agencies had adopted the regional system contained in the Executive Order soon after it had been issued.

In general there was favorable acceptance of the Executive Order. Additional impetus for acceptance came from the federal establishment under Bureau of the Budget Circular A-80, and from federal agencies urging their state counterparts to accept uniform regions such as the Federal Bureau of Public Roads urging the State Highway Department to implement the State Executive Order provisions.

Concurrently with the research sponsored by the State Planning Agency, a sub-committee of the Minnesota Senate Civil Administration Committee was holding public hearings on the same subject. Somewhat independently this committee had recognized the emerging problems of proliferation of multi-county organizations and was seeking an answer.

C. Recommendations of the State Planning Agency

Based on the research conducted during 1968 the State Planning Agency made two recommendations to the Governor and the Minnesota Legislature. While many of these recommendations were accepted and included in the new Executive Order or the Regional Development Act, not every recommendation passed. Part III of this Manual is an analysis of the new Executive Order as signed by the Governor, and Part IV is an analysis of the Regional Development Act (Chapter 1122, Laws 1969). These two parts should be consulted for the final version of the Executive Order and the Regional Development Act.

1. Regional Delineation.\*

Executive Order No. 9 should be revised from 7 to 11 planning regions. Each region would be centered on a group of "core" counties. There would be 32 counties designated as "transitional" counties and given the opportunity to join the core counties with which they have the most in common. The regions should be used by state agencies for planning purposes and for administrative purposes. No new multi-county region or district should cross the regional boundaries.

\* See also Part III and Appendix A.

2. Regional Organization of Local Governments.\*\*  
Legislation should be passed permitting the creation of regional planning and development councils. The council would be composed of elected officials from the cities, villages and counties within the region. The council would be the authorized recipient for federal grants from Section 403 of the Public Works and Economic Development Act of 1965, Section 701 of the Housing Act of 1954, the Omnibus Crime Control Act of 1968. The state should appropriate money to assist the councils in their first years.

The council shall prepare a regional plan, review and comment on plans prepared by local government within the region, review and comment on applications for state or federal grants. The council should submit all regional plans to the state for review and should report annually to the State Planning Officer regarding the number, type and disposition of applications for federal aid review by the council.

\*\* See also Part IV and Appendix B.



### III. REGIONAL DELINEATION

In response to the recommendations of the State Planning Agency relative to the delineation of sub-state regions, Governor LeVander on April 3, 1969, issued Executive Order No. 37. In this Order, 11 regions were established consisting of "core" counties and "transitional" counties. The "transitional" counties had the opportunity to participate in their final assignment to a region.

The State Planning Agency was directed to undertake a continuing evaluation of the regional structure and to conduct two series of public meetings; one for public educational purposes relating to regionalism, and the other to assist each of the "transitional" counties decide about their final regional assignment.

#### A. Purpose of Executive Order 37

As noted in Executive Order 37, its purpose is to provide a uniform geographic framework for:

- The collection and classification of data for state, local and regional planning.
- The coordination of state, regional and local planning activities.
- The coordination of federally sponsored or operated programs at the regional level within Minnesota.
- The coordination and unifying of local resources for resolving local problems and exploiting opportunities.
- Providing a framework for the organization of local government for intergovernmental cooperation and planning.

The overriding objective was to prevent the continued random proliferation of multi-county organizations. Instead a consistent geographical framework was established within which all new multi-county programs would operate. (See Appendix E for a listing of some existing multi-county organizations in Minnesota).

#### Effect of Executive Order 37

The Executive Order had immediate effect on all state departments and agencies and on those federal agencies administering multi-county programs.

#### 1. Federal multi-county programs.

The Executive Order is quite clear. No new multi-county district or region that involves state or federal financing shall be permitted, unless it conforms to the regions established in the Order. Future changes in existing districts or regions shall also conform to the regions. To insure implementation of the Order, copies were sent to the Executive Office of the President and to the Federal Bureau of the Budget.

At about the same time the Bureau of the Budget was taking steps to encourage greater compliance by federal agencies with the Bureau's Circular A-80. Not every federal department had responded with enthusiasm to the Circular requiring conformance with state delineated regions. Now, however, the Bureau of the Budget tightened the procedures and required all federal departments to conform to the Circular.

The Executive Order and the tightening up by the Bureau of the Budget virtually assured that future multi-county federal programs would conform to the established regions. Since the Executive Order was issued, representatives of a number of federal agencies have conferred with the State Planning Agency regarding the regions, and have worked toward bringing their programs into conformance with the regional structure.

#### 2. State Agency Administration and Planning.

For purposes of planning and the collection of data the Executive Order had immediate effect on all state departments and agencies. They were instructed to recognize the boundaries and to conduct planning in context with the established regions. However for administrative purposes, the state agencies were given

until final designation of the transitional counties (See C below), and at that time they were to "work toward conformance." For administrative purposes two or more of the 11 regions could be combined where fewer regions are needed.

The effect of the Executive Order on administration of state programs is not immediate, since reorganization of existing field service staff requires adjustment over time. Some of the state departments have already begun the process of adjusting. Others, especially those with a natural resource orientation, will require additional time. Closely tied with utilization of uniform regions for delivery of state services is reorganization of state government. Some reorganization was ordered by the 1969 Legislature and as further reorganization occurs greater conformity with the regions will evolve.

C. Procedures Required by Executive Order 37

In respect to the "transitional" counties and their final assignment to regions, the Executive Order is somewhat unique. For purposes of working with the "transitional" counties and also for purposes of disseminating information on regionalism, the State Planning Agency was assigned the leading role.

1. Regional Public Information Meetings.

The State Planning Agency is directed to, "Conduct meetings of local officials and other interested parties in each of the regions (except the Twin Cities Metropolitan region) to discuss the regions and the benefits of a regional structure." Due to the many on-going regional programs and organizations and the impact of the Executive Order on these and future programs, it is necessary to provide an opportunity to discuss the implications of the Order. It is intended that the series of regional meetings would serve this purpose. Local officials, members of existing multi-county commissions and the interested citizen would be afforded the opportunity of learning how each is affected by the Executive Order.

2. "Transitional" County Meetings.

The State Planning Agency is also directed to, "conduct a public meeting in each transitional county to assist in evaluating its natural association with a region." The transitional counties are to retain that designation during the year following issuance of the Order. During that year a meeting is to be held with each transitional county.

After the meetings have been held, the Governor, following consultation with local government officials and legislators will assign each of the transitional counties to a region. (The Regional Development Act, Part IV, provides a procedure whereby counties can request review by the legislature if they object to their final assignment).

3. Continuing Review and Evaluation.

Additionally the State Planning Agency is directed to engage in a continuing review and evaluation of the boundaries of the regions. As economic and population changes occur, as new standard metropolitan statistical areas are designated, it is likely that some modification of the initial regions may be necessary. In any case, continuing surveillance of the regions and evolving trends, especially relative to federal programs, should be undertaken.

D. EXECUTIVE ORDER 60

During the year following the signing of Executive Order 37 staff of the State Planning Agency conducted the meetings it required. As the counties became familiar with the intent of the regional program there was discussion in some parts of the state regarding the creation of new regions. Despite strong efforts on the part of a few counties no real strength for creating substantially different regions was mustered. Toward the end of the twelve month interim period, many of the "transitional" counties indicated their desires.

Also toward the end of the twelve month period a number of counties asked Governor LeVander to postpone the final assignment of counties to a region. Almost every county requesting the delay had its own reason. However,

behind most requests was the fear that assignment to a region meant immediate establishment of a Regional Development Commission.

On June 8, 1970, Governor LeVander invited the officers and directors of the League of Minnesota Municipalities, the Association of Minnesota Counties, the Association of County Officers and the Township Officers Association to a meeting in the Capitol. At this meeting the Governor explained his position on regionalization, discussed the proposed executive order (60) on delineation, and asked for comments on desired revisions to the Regional Development Act. In general, the response from those in attendance was favorable and on June 12, 1970, Executive Order 60 was signed. (See Appendix A)

The regions delineated in Executive Order 60 reflected the desires expressed by the "transitional" counties. In addition, the Order provided procedures for: future reassignment of individual counties; creation of new regions meeting certain criteria; and the creation of Regional Development Commissions.

#### IV. THE REGIONAL DEVELOPMENT ACT OF 1969 – Laws 1969, Ch. 1122.

##### A. PROVISIONS OF THE NEW ACT

The Act authorizes the establishment of regional development commissions by petition of local units or by Governor's initiative, with jurisdiction coterminous with the regions established by Executive Order. The seven-county metropolitan area is not affected by the statute. The commissions will be composed of representatives of local government units and citizens at large.

The commissions, once established, are granted the following powers and duties:

- To act as the official state agency for the receipt of federal regional planning grants for major federal and state programs.
- To develop a comprehensive plan for the region in cooperation with sub-regional planning agencies, the State Planning Agency and local units of government.
- To review and comment on long term comprehensive plans of local units within the region for coordination of planning.
- To review plans of independent boards or commissions and to suspend such plans where potential conflict with the regional plan exists.
- To review applications for federal aid from local units to facilitate consistency with regional planning and development goals.
- To conduct research aimed at improving the quality of public services in the region.
- To develop regional information centers at educational institutions within the region.

- To provide technical assistance to local units of government.

The commission is authorized to employ staff and consultants to implement its efforts, and to appoint advisory committees when appropriate to assist in developing policy. All state agencies are required to cooperate with and assist the commission in its activities, with the State Planning Agency acting as the coordinating agency. Annual reports to the Governor and the Legislature are required by the statute.

The State Planning Officer (the Governor) is authorized to make grants of \$25,000 for each of fiscal years 1970-71 to the commission upon its submission of an acceptable work program. Thereafter, the commission could finance its activities with a one-half mill tax levy regionwide. It is anticipated that by utilizing state funds and federal planning funds, a commission could develop a substantial budget to enable it to conduct an effective program of regional planning and development coordination.

The composition of the commission would be approximately evenly balanced between county and municipal officials. The council size (excluding citizen membership that would be decided by the commission) would range in number from 15 in the smallest region to 33 in the largest.

The first Chairman is appointed by the Governor for a two-year term. Succeeding Chairmen are elected from the membership of the commission.

The Chairman appoints an Executive Director and all employees with the approval of the commission. Employees are governed by a merit system and would be members of the Public Employees Retirement Association.

The commission would be the authorized recipient for regional planning grants for the following federal programs:

- EDA District planning

- 701 multi-county planning

- Crime control planning

and could be so designated by the Governor as the recipient for funds for:

- OEO regional planning

- Comprehensive health planning

- Manpower planning (Department of Labor)

- Resource conservation and development district planning (RC&D) USDA

- Any additional multi-county planning funds.

(The commissions would not receive action or project grants. These would continue to go to individual units subject to review and comment by the regional commission.) *Feb grants*

The commissions are given (authority to coordinate development in accordance with their comprehensive plans and objectives.) First of all, municipalities and special districts are required to submit all long term comprehensive plans or any other matter to the commission for comment that the commission believes will have a substantial effect upon regional development. The commissions are granted power to indefinitely suspend the plans of independent commissions, boards or agencies. Final appeal of commission rulings may be made to the State Planning Officer for final disposition.

The commission is also given the authority to (review all applications of governmental units, independent commissions, boards or agencies operating in the region for loans or grants from the federal government, whether or not such review is required for loans or grants from the federal government.) This includes state agencies and educational institutions' applications for public facilities,

studies or any other purpose if the application clearly is related to the region.

In this fashion, state government has established procedure for determining the compatibility of its own programs with regional priorities and objectives. Projects that have already been reviewed by a federally recognized sub-regional metropolitan area council of government need not be reviewed again by the commission.

#### \* STATE RELATIONS TO THE COMMISSIONS

The state has significant relations to the commission that insure a coordinated state-regional-local approach to planning without imposing state direction.

- Initial gubernatorial appointment of chairman
- Continuing state review of regional boundaries.
- Control of the distribution of most of the regional planning grant funds.
- Review of regional comprehensive plan for conformance with state planning.
- Regularized reporting to the state.
- State Planning Agency involvement in technical assistance to commissions.
- Non-voting membership on the commission of representatives of the State Planning Officer.

The State Planning Agency is the state agency responsible for coordination of state-regional relations.

#### B. RELATIONSHIP TO EXECUTIVE ORDER No. 60

The Act relates to the Executive Order on delineation of regions in three ways:

First, it recognizes the regions set out in the Order as the official development regions for the state, and in effect ratifies the Order's procedure for modification of the boundaries. (In addition, the Act guarantees any county the right to appeal its regional assignment to the Governor and ultimately to the Legislature.) Until some positive action is taken by a county under the Act or the Order, however, the county remains in the region to which it is assigned by the Executive Order.

Second, the Act requires that "all coordination, planning and development regions assisted or created by the State of Minnesota or pursuant to federal legislation shall conform to the regions . . . except where, after review and approval by the State Planning Officer nonconformance is clearly justified." This language, virtually identical to that of the Executive Order, insures that overlapping regional entities will not be created, except where absolutely necessary.

Third, the Act gives the regional development commission jurisdiction within the entire region for which it is organized. Thus, the regions of the Order become the basic geographical unit for all local, state and federal regional planning activities in Minnesota.

(It is important to note that both the Act and the Order authorize the aggregation, or combination, of regions for certain planning purposes where the State Planning Officer is of the opinion such action is necessary.) This will occur where ongoing programs have already combined regions, or there are new programs that require a broader geographic base.

#### C. ESTABLISHMENT OF A COMMISSION

A commission may be established in one of two ways; a petition of local municipalities and counties within the region or by initiative of the Governor. Since the Act authorizes the second method only in cases of exceptional circumstances, the petition method will probably be exclusively used.

1. Petitions –

Petitions requesting the establishment of a commission must be in the form of a county board or municipal council resolution. The petition should set forth the desire of the local unit to have a commission established and a brief statement of the need for such a commission. (See Appendix for suggested form.)

When the State Planning Officer has received the petition from counties and municipalities that represent a majority of the population of the region, he may initiate the establishment of the commission. For purposes of the petition (1) the population of a county is its total population less that of municipalities within the county and (2) a municipality means a city or a village only. (e.g. the population of Olmsted County would be total county population minus that of Rochester and all villages within the County.)

Since the Governor retains authority under the Act to initiate establishment, it would be desirable if petitions were received from all counties and major municipalities within the region to assure him of broad support for the commission idea.

2. Appointment of a Chairman –

Upon receipt of the appropriate petitions, (the State Planning Officer appoints a Chairman) and notifies all local governmental units within the region. This action officially establishes the commission.

3. Organizational Duties of Chairman –

The Chairman, within 60 days of his appointment, must call together the commission membership classifications specified in the Act. (See Part 4 below.) to select the initial commission membership. A general meeting of county, municipal, housing, school district, and special district officials would be most appropriate for this purpose. It is anticipated that in calling this organization meeting, the Chairman would ask each group to select their initial

members for the commission. The initial body would serve until their terms and further method of selection have been provided for in the commission bylaws.

\* 4. Commission Membership –

Membership is specified in the Act as follows:

- (1) One member from each county board of every county in the development region;
- (2) One additional county board member from each county of over 100,000 population;
- (3) One member of a town board of supervisors;
- (4) One mayor or councilman from a municipality of under 10,000 population from each county, selected by the mayors of all such municipalities in the development region;
- (5) One mayor or councilman from each municipality of over 10,000 in each county;
- (6) Two school board members;
- (7) One member from each council of governments; (councils are voluntary organizations of local units of government in urbanized areas)
- (8) One member representing special purpose districts; (e.g. watershed districts, soil and water conservation districts)
- (9) Citizens representing public interests within the region including members of minority groups to be selected after adoption of the bylaws of the commission;
- (10) A chairman appointed by the State Planning Officer, pursuant to Section 9 of this Act.

In addition, the State Planning Officer with approval of the Chairman may appoint ex officio non-voting members to the commission.

5. Initial Commission Duties —

Upon the initial organization of the commission, its first duty will be to adopt bylaws that:

- (a) Provide for term and method of selection of commission members;
- (b) Provide for the selection of citizen members;
- (c) Adopt rules of procedure;
- (d) Provide for a board of directors, and
- (e) Provide for the election of a chairman upon the expiration of the two year term of the first chairman.

6. Board of Directors —

The Board of Directors must be composed of 11 members and no more than six may be elected officials. The Board of Directors may include persons who are not members of the commission if this is desired. Commission members may not receive compensation but may be reimbursed for expenses. Members of the Board of Directors may be provided with a per diem of up to \$35 per day and expenses.

7. Relation to Existing EDA Districts —

The Act provides that where an existing Economic Development District is in operation, the board of the district shall serve as the board of the commission, but must reorganize to conform to the Act by July 1, 1970. This applies at present only to the Arrowhead EDA district in Region 3.

D. OFFICERS AND STAFF

1. Chairman —

The first chairman of the commission must be a resident of the region and be experienced in the field of governmental affairs. He presides at the meetings of the commission and of the board of directors and appoints all the employees with the approval of the commission. The first chairman serves for a term of two years after which he is selected from the membership of the commission according to procedures established by its bylaws.

2. Executive Director —

The commission is to appoint an executive director on the recommendation of the chairman who will serve as his chief administrative officer. The only qualifications for the executive director are that he be selected on the basis of his training and experience in the field of governmental affairs. He need not be a resident of the state or the region.

3. Employees —

The commission is required to prepare, in consultation with the State Director of Civil Service, a merit system for its officers and employees including terms and conditions of employment, compensation and other related matters.

4. Staff and Consultant Services —

The regional commission may contract for services or perform services for other state agencies and sub-regional planning organizations within the region or with local units of government. In addition it may contract for the services of consultants for specialized services of a professional nature.

E. ADVISORY COMMITTEES

The commission is authorized to appoint advisory committees to assist in the review of matters referred to the commission for action. Where federal or state regional

programs require special advisory committees the commission chairman shall, as far as practical, appoint such committees as advisory groups to the commission. Members of the advisory committees serve without compensation but may be reimbursed for their reasonable expenses as determined by the commission.

\* F. RELATIONSHIP TO FEDERAL PROGRAMS

Once the commission is organized it becomes the authorized agency to receive state and federal grants for regional purposes under Section 403 of the Public Works and Economic Development Act of 1965 (Economic Development Districts), Section 701 of the Housing Act of 1954 (multi-county comprehensive planning) and the Omnibus Crime Control Act of 1968. In addition, the Governor as (State Planning Officer may assign the commission the responsibility of receiving similar federal grants under the)

- Economic Opportunity Act of 1954,
- Comprehensive Health Planning Act of 1965,
- Federal Regional Manpower Planning Programs of the Department of Labor,
- Grants for Resource Conservation and Development Districts administered by the Department of Agriculture,
- Any other state and federal programs providing funds for multi-county planning, coordination and development purposes.

The State Planning Officer has the responsibility, where consistent with the state and federal statutes and regulations, to review applications for all state and federal regional planning and development grants to the commission.

Thus, regional development commission could become the recipient of substantial funds from various regional planning programs of the state and federal government. By integration of these funds into an overall work program it will be possible to develop a comprehensive planning program for the entire region.

It must be emphasized that the grants referred to in this section of the law are for planning purposes only. Action grants, that is grants to individual counties and municipalities for specific projects, will continue to go directly to the local government units.

G. RESPONSIBILITIES OF THE COMMISSION

\* 1. Mandatory Duties and Functions

The commission has four major mandatory responsibilities.

- (a) The development of a comprehensive plan for the region:
- (b) Review of long term comprehensive plans of local government units within the region;
- (c) Preview of similar plans of independent boards or commissions within the region:
- (d) the review of applications of governmental units for loans and grants from the United States of America, or from the state whether or not such review is required by the federal government.

(It is important to note that the review contemplated by the Act is not a veto over the activities of the units of government, but rather a comment type of review only.) In other words, the Act aims at insuring that there is coordination in planning within a region of the state to avoid conflicts and duplication, but does not give the regional body the authority to veto such plans.



The same principle applies to applications for federal and state grants-in-aid. The only requirement is that the commission review the applications and comment on them. While it is true that the administering agency may give considerable weight to such comments, the agency still will be free to make grants to individual units if it so desires.

The review of federal aid applications is not required where such applications have been reviewed by sub-region or sub-district that has been designated by the federal government as an authorized areawide review agency. This has already occurred in the Duluth-Superior area and will probably be occurring in other areas of the state. The purposes of this section is to avoid duplicative review.

2. Other Authorized Activities of the Commission —

The commissions are authorized to perform a number of other activities all related to areawide development.

— Urban and Rural Research

— The commission may study the feasibility of programs related to water, land use, economic development, minority problems, and other subjects of general concern to the region.

— Civil Defense and flood plain management

— The commission may coordinate civil defense, community shelter planning, and flood plain management programs within the region, contract with local governmental agencies and consultants in connection with these studies.

— The commission may participate in proceedings for the Minnesota Municipal Commission and conduct studies on the feasibility of annexing, enlarging or consolidating local government units within the region.

— The commission can develop, in cooperation with public and private colleges and universities and local government units, a center for tape collection and storage to be used by it and other governmental and private users. Thus, the commission could act as an information source for all governmental purposes within the region on a cooperative basis with an educational institution within the region.

— The commission can engage in a continuous program of research and study in matters such as the:

- Acquisition and financing of open space,
- Control and prevention of water and air pollution,
- Examination of the tax structure in the region,
- Feasibility of consolidation of common services of local governments,
- Identification of housing problems in the region,
- Identification of the facets and elements of the law enforcement activities, including police, courts, and correctional programs and systems.

3. Relationship to Local Government Units —

The Act in a number of ways encourages and authorizes the regional development commission to act as a service agency for local government units and combinations of local government units. The Act specifically provides that its purpose is to encourage local and sub-district planning capability, and that the creation of the commission does not affect the right of counties and municipalities to conduct sub-regional or district planning.

The Act also specifically provides that the commission may contract with local units of government to provide them with services and technical assistance in the conduct of local planning and development activities. It is clear from these provisions and the overall language of the Act, that it

is intended that the regional development commissions can become the central service agency for technical assistance to local government units on a broad range of activities of an intergovernmental character.

4. Relationship to State Agencies —

All state departments and agencies are required by the Act to cooperate with the regional commissions and to make available to them studies, reports, data and other informational and technical assistance within financial and personnel limitations of the agency. (The State Planning Agency and the Office of Local and Urban Affairs of the Agency, are to coordinate the the state assistance programs to the regional planning and development commissions.)

*x* H. FINANCING OF COMMISSION ACTIVITY

The financial resources of regional commissions will come from three sources:

*Funding*

1. Federal-regional planning grants
2. State grants-in-aid
3. A regionwide tax levy by the commission.

It should be pointed out also that the commission is (authorized to accept gifts and contributions from any source) including financial support from local government units that may be authorized to participate in financing the commissions activities.

1. Federal Financing —

As the authorized recipient for regional planning grants under a number of federal programs as discussed before, the commission is authorized to utilize these funds to finance its activities. Thus, a commission could utilize, for example, funds from the Economic Development Administration, the Omnibus Crime Control Act, 701 Multi-county District Planning, and Comprehensive Health Planning to develop an overall comprehensive planning work program for the region.

2. State Assistance —

The Act authorizes the State Planning Officer to make available to the commission the sum not to exceed \$25,000 a year for the fiscal years 1970 and 1971 upon the submission of an acceptable work program.

3. Local Tax Levy —

After fiscal years 1970 and 1971 the commission is required to adopt a budget after public hearing outlining its anticipated receipts and disbursements, and is authorized to certify it to the county auditor of each county within the region. The county's share would be the amount which would bear the same proportion to the total levy as the assessed valuation of each county bears to the total assessed valuation of the region. The maximum levy permitted by this section of the law is ½ mill. It is important to note that this tax levy authority does not come into existence until 1971.

I. WORK PROGRAM

A key element in the success of any regional commission's activities, and (prerequisite to both state and federal funding, is the development of a work program) for its activities. The work program should indicate the commission's approach to the mandatory responsibilities assigned to it under the Act, and also its approach to its other duties and responsibilities with regard to relationships to local government units. The work program for a particular region will depend on its own unique needs and it is not possible to specify the exact contents of such a program.

The Appendix to this memorandum includes a suggested outline of a work program that, if followed, would be acceptable for the granting of state support funds. It should be kept in mind, however, that the requirements of the various federal-regional planning programs will have to be taken into account in order to prepare an integrated overall program for the regional commission. (See Appendix D for a suggested outline of a work program for a regional commission.)

## OTHER PUBLICATIONS OF INTEREST

Readers of this manual who wish additional materials dealing with regionalism may find the following publications useful:

Hoyt, John S., Jr., Regional Development System in Minnesota, January 1968, University of Minnesota, Agricultural Extension Service-State Planning Agency. (Copies may be obtained from Agricultural Extension Service, St. Paul 55101 - \$1.50)

A Regional Planning and Development System for Minnesota; Report to the Governor and Legislature. State Planning Agency, February 1969.

Quality Law Enforcement; The Minnesota Plan, Governor's Commission on Crime Prevention and Control 1969 (Available from State Planning Agency)

Requirements for Non-Metropolitan District Planning Assistance, Circular MD 6041.3, January 1, 1969, Department of Housing and Urban Development.

Urban and Rural America: Policies for Future Growth, Advisory Commission for Intergovernmental Relations, Washington, D. C. 20575

A Manual for Interlocal Cooperation In Minnesota; Office of Local and Urban Affairs, State Planning Agency, May 1969. (Copies available free to Local Government Officials from State Planning Agency).



HAROLD LEVANDER  
GOVERNOR

## STATE OF MINNESOTA

OFFICE OF THE GOVERNOR

ST. PAUL 55101

EXECUTIVE ORDER NO. 60

I, Harold LeVander, Governor of the State of Minnesota, pursuant to the authority and responsibility assigned to me by Minnesota Statutes Chapter 4, and Laws 1969, Chapter 1122, do hereby issue this Executive Order in regard to the delineation of Development Regions and the formation of Regional Development Commissions.

WHEREAS the twelve month period specified in Executive Order 37, during which "transitional" counties were to evaluate their logical association with a region has passed; and

WHEREAS the State Planning Agency has conducted the public hearings specified in Executive Order 37 and Section 5, Subdivision 1 of Chapter 1122, Laws 1969, the Regional Development Act; and

WHEREAS information has been gathered and evaluated from the transitional counties and other counties relative to regional assignment; and

WHEREAS insofar as possible, the known desires of transitional and other counties have been recognized; and

WHEREAS Section 5, Subdivision 1 of Chapter 1122, Laws 1969, the Regional Development Act, requires that the Governor designate Development Regions by Executive Order; and

WHEREAS the Regional Development Act provides for the re-assignment of counties between Development Regions and for the modification of regional boundaries;

NOW, THEREFORE, by virtue of the authority vested in me as Governor and State Planning Officer of the State of Minnesota, I hereby designate the following Development Regions and provide procedures for reassignment of counties to Development Regions, for designation of new Development Regions, and for the creation of Regional Development Commissions.

### I. Development Regions

Development Regions for Minnesota for purposes of Section 5 Subdivision 1 of Chapter 1122, Laws 1969, the Regional

Development Act and United States Bureau of the Budget Circular A-80, Coordination of development planning for programs based on multi-jurisdictional areas and A-95 Evaluation, review and coordination of federal assistance programs and projects, and for the purposes enumerated in Executive Order No. 37 shall be those shown on the attached map and list entitled, Development Regions, and designated as Appendix I.

## II. Procedure for Change in Regional Assignment

Counties may be assigned to different regions by the following procedure:

- A. Any county, after substantial consultation with other local governments, desiring to be assigned to a region other than the one to which it was assigned by this Executive Order may request reassignment by means of a formal resolution of the County Board of Commissioners addressed to the Governor. For the purpose of reassignment, all resolutions passed before the date of this Order will not be considered.
- B. The request will be approved or denied within 60 days of receipt of the resolution of the County Board requesting reassignment. In order to determine the appropriateness and public sentiment in regard to the request, meetings, as deemed desirable, will be held with local elected officials and interested citizens in the county and the affected regions. A request for reassignment will not be approved if the Development Region remaining after reassignment is: 1) smaller than 4 counties; 2) has an assessed valuation of less than \$30,000,000. The county requesting reassignment must be contiguous to the region to which it is seeking reassignment.
- C. If a Regional Development Commission exists in either or both of the affected regions, the Commissions must be consulted within the 60 day period.
- D. If the request for reassignment is denied, the requesting county and the House and Senate will be notified in accordance with law.

## III. Procedure for Designation of a New Development Region

New Development Regions may be created by the following procedures:

- A. Any county or municipality may request designation of a new Development Region by means of a formal resolution adopted by the governing body of the county or municipality addressed to the Governor. County board will be

expected to consult with township officials in the preparation and submission of such resolutions.

When requests are received from the governing boards of counties and municipalities representing the majority of the population\*, the Governor will begin the procedures outlined in paragraph III-C. The resolution shall contain a list of contiguous counties to be included in the proposed Development Region. For the purpose of requesting a new region, no resolutions passed before the date of this Order will be considered.

- B. The proposed Development Region shall consist of at least four (4) counties and have an assessed valuation of at least \$30,000,000. The proposed Development Region shall encompass a whole functional area that has a community of interests, with common natural, social and economic characteristics. The proposed Development Region shall not reduce any existing Development Region to: (1) less than 4 counties (2) less than \$30,000,000 in assessed valuation.
- C. When uniform requests are received from the governing bodies of counties and municipalities which represent a majority of the population in the proposed Development Region, meetings, as deemed appropriate, shall be held with local elected officials and interested citizens affected by the proposed change. The State Urban Affairs Council shall be consulted to obtain state department viewpoint on the request. The request shall be approved or denied within 90 days of receipt of requests that represent a majority of the population in the proposed Development Region. Counties and municipalities within the proposed Development Region shall be notified as requests for the new region are received.
- D. If a Regional Development Commission exists in either or both of the affected regions, the Commission must be consulted within the 90 day period.
- E. If the request for a new region is denied, the counties and municipalities and the House and Senate will be notified.

## IV. Creation of a Regional Development Commission

A Regional Development Commission may be created in accord with Section 7, Subdivision 1, Chapter 1122, Laws 1969, the Regional Development Act, by the following procedure:

- A. Counties and municipalities may request creation of a Regional Development Commission by a formal resolution

adopted by the governing body of the county or municipality addressed to the Governor. The resolution shall designate the Development Region for which the Regional Development Commission is requested.

- B. When formal requests from county boards and municipal councils which represent a majority of the population in the Development Region for which a Regional Development Commission is proposed are received, meetings as deemed appropriate will be held with local elected officials and interested citizens within the Development Region.
- C. If, within 60 days after following the procedures provided herein, it is determined that there is broad public support, and that sufficient need exists for the proposed Regional Development Commission, it shall be established pursuant to Section 7, Subdivision 3, Chapter 122, Laws 1969, the Regional Development Act, by the appointment of the chairman. Prior to appointing a Chairman, broad consultation with elected officials and citizens of the region shall be held to seek out a chairman who will be able to establish good working relationships with the local governments, members of the Commission and citizens of the region. In addition, assurance will be sought from county and municipal officials that townships will be accorded increased representation through the "citizen representation" clause. (Sec. 8, Subd. 1 [9], Chapter 1122, Laws of 1969.)
- D. If it is deemed that a Regional Development Commission is not needed nor desired, no Regional Development Commission will be established. The creation of a Regional Development Commission will not be initiated without first receiving requests from counties and municipalities representing a majority of the population as specified above.\*

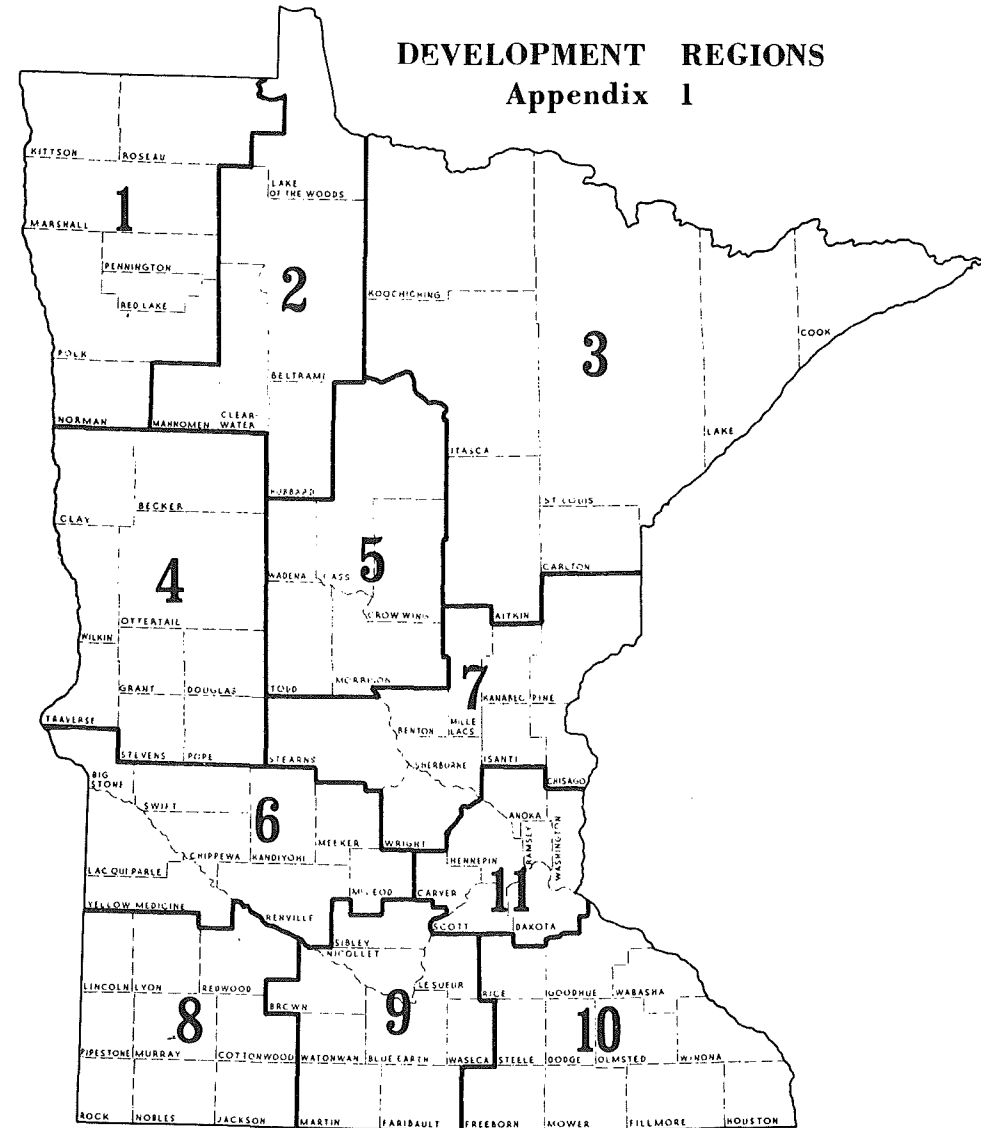
\* For this purpose, resolutions from county boards represent the population residing in the unincorporated parts of the county, resolutions from village or city councils represent the population residing within the village or city.

Dated this 12th day of June, 1970.

STATE OF MINNESOTA  
 Department of State  
 Filed June 12, 1970  
 /s/ JOSEPH L. DONOVAN  
 Secretary of State

*Harold LeVander*  
 Harold LeVander  
 GOVERNOR

## DEVELOPMENT REGIONS Appendix 1



# LAWS 1969

## CHAPTER 1122

An Act Relating to Regional Development Commissions in Certain Areas of the State; Prescribing Their Powers and Duties; and Appropriating Money Therefor.

*Be it enacted by the Legislature of the State of Minnesota:*

Section 1. [TITLE.] This act may be cited as the "Regional Development Act of 1969."

Sec. 2. [APPLICATION.] The provisions of this act have no application to the metropolitan council created by or the region defined by Laws 1967, Chapter 896.

Sec. 3. [PURPOSE.] Subdivision 1. The legislature finds that problems of growth and development in urban and rural regions of the state so transcend the boundary lines of local government units that no single unit can plan for their solution without affecting other units in the region; that various multi-county planning activities conducted under various laws of the United States are presently being conducted in an uncoordinated manner; that intergovernmental cooperation on a regional basis is an effective means of pooling the resources of local government to approach common problems; and that the assistance of the state is needed to make the most effective use of local, state, federal, and private programs in serving the citizens of such urban and rural regions.

Subd. 2. It is the purpose of this act to facilitate intergovernmental cooperation and to insure

LEGISLATIVE REFERENCE LIBRARY  
STATE OF MINNESOTA

REGION 1

Kittson  
Roseau  
Marshall  
Pennington  
Red Lake  
Polk  
Norman

REGION 2

Lake of the Woods  
Beltrami  
Clearwater  
Mahnomen  
Hubbard

REGION 3

Koochiching  
Itasca  
Aitkin  
Carlton  
St. Louis  
Lake  
Cook

REGION 4

Clay  
Wilkin  
Traverse  
Becker  
Ottertail  
Grant  
Stevens  
Douglas  
Pope

REGION 5

Wadena  
Cass  
Crow Wing  
Morrison  
Todd

REGION 6

Big Stone  
Swift  
Lac Qui Parle  
Yellow Medicine  
Renville  
Chippewa  
Kandiyohi  
Meeker  
McLeod

REGION 7

Stearns  
Wright  
Benton  
Sherburne  
Mille Lacs  
Kanabec  
Isanti  
Pine  
Chisago

REGION 8

Lincoln  
Pipestone  
Rock  
Lyon  
Murray  
Redwood  
Cottonwood  
Jackson  
Nobles

REGION 9

Sibley  
Nicollet  
Brown  
Watonwan  
Martin  
Faribault  
Blue Earth  
Waseca  
LeSueur

REGION 10

Rice  
Steele  
Freeborn  
Goodhue  
Dodge  
Mower  
Wabasha  
Olmsted  
Fillmore  
Winona  
Houston

REGION 11

Anoka  
Hennepin  
Ramsey  
Washington  
Carver  
Scott  
Dakota

the orderly and harmonious coordination of state, federal, and local comprehensive planning and development programs for the solution of economic, social, physical, and governmental problems of the state and its citizens by providing for the creation of regional development commissions.

Sec. 4. [DEFINITIONS.] Subdivision 1. For the purposes of this act the terms defined in this section have the meanings given them.

Subd. 2. "Governmental unit" means a county, city, village, borough, town, school district, or other political subdivision of the state.

Subd. 3. "Municipality" means a city, village, or borough.

Subd. 4. "Commission" means a regional development commission created under this act.

Subd. 5. "Development region" or "region" means a geographic region composed of a grouping of counties embodied in an executive order of the governor or as otherwise established by this act.

Subd. 6. "Subregion" or "subdistrict" means any combination of governmental units formed under Minnesota Statutes, Sections 471.59, 462.371 to 462.375, or under any other statute combining or enabling the combination of governmental units for special purposes.

Subd. 7. "State planning officer" means the governor of the state of Minnesota exercising the authority conferred upon him by Minnesota Statutes, Sections 4.10 to 4.17.

Sec. 5. [DESIGNATION OF REGIONS.] Subdivision 1. Development regions for the state shall be those regions so designated by the governor by executive order. The order shall provide for public hearings within each proposed region after which any county may request assignment to a region other than that proposed by the order. If such a request for reassignment is unacceptable to the state planning officer, the county shall remain in the originally designated region until the next session of the legislature for its review and final assignment.

Subd. 2. The boundaries of any economic development district established under Section 403 of the United States Public Works and Economic Development Act of 1965 shall not be modified without the approval of an affected county and the development district.

Subd. 3. The state planning agency shall conduct continuous studies and analysis of the boundaries of regions and shall make recommendations for their modification where necessary. Modification may be initiated by a county, a commission, or by the state planning officer and will be accomplished in accordance with this section as in the case of initial designation.

Sec. 6. [MULTI-COUNTY PLANNING AND DEVELOPMENT; CONFORMANCE WITH REGIONS.] Subdivision 1. On the effective date of this act, all coordination, planning, and development regions assisted or created by the state of Minnesota or pursuant to federal legislation shall conform to the regions designated by the executive order except where, after review and approval by the state planning officer, nonconformance is clearly justified. The state planning officer shall develop working agreements with state and federal departments and agencies to insure conformance with this subdivision.

Subd. 2. Aggregation of the regions into larger units may be authorized by the state planning officer where, in his judgment, such action is necessary to accomplish the objectives of particular planning programs.

Sec. 7. [REGIONAL DEVELOPMENT COMMISSIONS; ESTABLISHMENT.] Subdivision 1. [PETITION.] Any combination of counties or municipalities representing a majority of the population of the region for which a commission is proposed may petition the state planning officer by formal resolution setting forth its desire to establish, and the need for the establishment of a regional development commission. If the state planning officer is of the opinion that sufficient need exists for the creation of the proposed commission, he may initiate its establishment pursuant to subdivision 3. For purposes of this section the population of a county does not include the population of a municipality within the county.

Subd. 2. [INITIATION BY STATE PLANNING OFFICER.] If the state planning officer is of the opinion that because of conditions of economic distress, duplication and overlapping of governmental programs, or exceptional need for regional coordination of planning and intergovernmental cooperation, there is need for the establishment of a regional development commission, he may by written order initiate the establishment pursuant to subdivision 3.

Subd. 3. [ESTABLISHMENT.] A regional development commission shall be established upon the appointment of a chairman by the state planning officer and the notification of all local government units within the region for which the commission is proposed. Such appointment and notification shall be made within 60 days of his receipt of a petition under subdivision 1 or within 60 days of his order under subdivision 2 of this section.

Subd. 4. The chairman will call together each of the membership classifications except citizen groups, defined in section 8 of this act, within 60 days of his appointment for the purpose of selecting the commission membership.

Sec. 8. [COMMISSION MEMBERSHIP.] Subdivision 1. A commission shall consist of the following members:

- (1) one member from each county board of every county in the development region;
- (2) one additional county board member from each county of over 100,000 population;
- (3) one member of a town board of supervisors;
- (4) one mayor or councilman from a municipality of under 10,000 population from each county, selected by the mayors of all such municipalities in the development region;
- (5) one mayor or councilman from each municipality of over 10,000 in each county;
- (6) two school board members;
- (7) one member from each council of governments;
- (8) one member representing special districts;
- (9) citizens representing public interests within the region including members of minority

groups to be selected after adoption of the bylaws of the commission; and

(10) a chairman appointed by the state planning officer, pursuant to section 9 of this act.

Subd. 2. The terms of office and method of selection of members other than the chairman shall be provided in the bylaws of the commission which shall not be inconsistent with the provisions of subdivision 1 of this section. The commission shall adopt rules setting forth its procedures.

Subd. 3. The state planning officer, with the approval of the chairman, may appoint ex officio members of each commission, without a vote in commission proceedings.

Subd. 4. In any region where an operating economic development district has been designated by the governor and the secretary of commerce, the present board shall constitute the membership of the commission, until July 1, 1970, at which time the membership will be changed to meet the requirements of this act.

Subd. 5. Members of the regional commission shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the commission. The commission shall provide for the election of a 11-man board of directors, who need not be commission members, and provide, at its discretion, for a per diem of not over \$35 a day and expenses. The board of directors shall limit its membership so that not more than 6 may be elected officials.

Sec. 9 [DEVELOPMENT COMMISSIONS; OFFICERS AND STAFF.] Subdivision 1. [CHAIRMAN.] The chairman of the commission shall be a resident of the region and shall be a person experienced in the field of government affairs. The chairman shall preside at the meetings of the commission and board of directors. He shall appoint all employees thereof, subject to the approval of the commission, and be responsible for carrying out all policy decisions of the commission. His expense allowances shall be fixed by the commission. The term of the first chairman shall be two years from the date of his appointment, and he shall serve until his successor is selected and qualifies. At the expiration of the term of the first chairman, the chairman shall be elected from the membership of the commission according to procedures established in its bylaws.

Subd. 2. [OFFICERS.] Except as provided in subdivision 1, the commission shall elect such officers as it deems necessary for the conduct of its affairs. Times and places of regular and special meetings shall be fixed by the commission and may be provided in the commission bylaws. In the performance of its duties the commission may adopt bylaws, rules governing its operation, establish committees, divisions, departments, and bureaus, and staff the same as necessary to carry out its duties and when specifically authorized by law make appointments to other governmental agencies and districts. All officers and employees shall serve at the pleasure of the commission and in accordance with this section.

Subd. 3. [EXECUTIVE DIRECTOR.] Upon the recommendation of the chairman, the commission may appoint an executive director to serve as the chief administrative officer. He may be chosen from among the citizens of the nation at large, and shall be selected on the basis of his train-

ing and experience in the field of government affairs.

Subd. 4. [EMPLOYEES.] The commission shall prepare, in consultation with the state director of civil service, and adopt a merit system for its officers and employees including terms and conditions for the employment, the fixing of compensation, their classification, benefits, and the filing of performance and fidelity bonds, and such policies of insurance as it may deem advisable, the premiums for which, however, shall be paid for by the commission. Officers and employees are public employees within the meaning of Minnesota Statutes, Chapter 353. The commission shall make the employer's contributions to pension funds of its employees.

Subd. 5. [STAFF SERVICES.] To avoid duplication of staffs for various regional bodies assisted by federal government, the commission may provide basic administrative, research, and planning services for all regional planning and development bodies hereafter established in Minnesota. The commission may contract to obtain or perform services with state agencies, nonprofit regional groups, subdistricts organized as the result of federal programs, councils, or government organized under Minnesota Statutes, Section 471.59, or any other law, and with local governments.

Subd. 6. [CONSULTANTS.] The commission may contract for the services of consultants who perform engineering, legal, or other services of a professional nature for peak workloads, continuing advice on program direction, and for specialized and technical services. Such contracts shall not be subject to the requirements of any law relating to public bidding.

Sec. 10. [GENERAL POWERS AND DUTIES.] Subdivision 1. The commission shall have and exercise all powers which may be necessary or convenient to enable it to perform and carry out the duties and responsibilities of this act or which may hereafter be imposed upon it by law. Such powers include the specific powers enumerated in this section.

Subd. 2. [FEDERAL PROGRAMS.] The commission is the authorized agency to receive state and federal grants for regional purposes from the following programs:

- (1) Section 403 of the Public Works and Economic Development Act of 1965 (economic development districts);
- (2) Section 701 of the Housing Act of 1954, as amended (multi-county comprehensive planning);
- (3) Omnibus Crime Control Act of 1968; and for the following to the extent feasible as determined by the governor:
  - (a) Economic Opportunity Act of 1964;
  - (b) Comprehensive Health Planning Act of 1965;
  - (c) Federal regional manpower planning programs;
  - (d) Resource, conservation, and development districts; or
  - (e) Any state and federal programs providing funds for multi-county planning, coordination, and development purposes. The state planning officer shall, where consistent with state and federal



statutes and regulations, review applications for all state and federal regional planning and development grants to a commission.

Subd. 3. [PLANNING.] The commission shall prepare and adopt, after appropriate study and such public hearings as may be necessary, a comprehensive development plan for the region. The plan shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for an orderly and economic development, public and private, of the region. The comprehensive development plan shall recognize and encompass physical, social, or economic needs of the region, and those future developments which will have an impact on the entire region including but not limited to such matters as land use, parks and open space land needs, the necessity for and location of airports, highways, transit facilities, public hospitals, libraries, schools, public and private, housing, and other public buildings. In preparing the development plan the commission shall use to the maximum extent feasible the resources studies and data available from other planning agencies within the region, including counties, municipalities, special districts, and subregional planning agencies, and it shall utilize the resources of the state planning agency to the same purpose. No development plan or portion thereof for the region shall be adopted by the commission until it has been submitted to the state planning agency for review and comment and a period of 60 days has elapsed after such submission. When a development plan has been adopted, the commission shall distribute it to all local government units within the region.

Subd. 4. [COMPREHENSIVE PLANNING.] The creation of a regional development commission does not affect the right of counties or municipalities to conduct subregional or district planning under Minnesota Statutes, Sections 462.371 to 462.375 or Section 471.59. It is the purpose of this act to encourage local and subdistrict planning capability and the regional commission shall as far as practical use the data, resources, and input of the local planning agencies.

Sec. 11. [SPECIFIC POWERS AND DUTIES.] Subdivision 1. [PLANNING REVIEW OF LOCAL GOVERNMENT UNITS.] Each city, village, borough, town, county, watershed district, and soil conservation district, all or part of which lies within the region, shall submit to the commission, for comment and recommendation thereon, its long term comprehensive plans or any matter which in the judgment of the commission has a substantial effect on regional development, including but not limited to plans for land use. The commission shall maintain such plans in its files available for inspection by members of the public. No action shall be taken to place any such plan or part thereof into effect until 60 days have elapsed after its submission. Promptly after submission, the commission shall notify each city, village, borough, town, county, or special district which may be affected by the plans submitted, of the general nature of the plan, the date of submission and the identity of the submitting unit. Political subdivisions contiguous to the submitting unit shall be notified in all cases. Within ten days after receipt of such notice any governmental unit so notified may request the commission to conduct a hearing at which the submitting unit and any other

governmental unit or subdivision may present its views. The commission may attempt to mediate and resolve differences of opinion which exist among the participants in the hearing with respect to the plans submitted.

Subd. 2. [REVIEW OF INDEPENDENT AGENCIES.] The commission shall review all long term comprehensive plans of each independent commission, board, or agency prepared for its operation and development within the region but only if such plan is determined by the commission to have a regional effect, a multi-community effect, or to have a substantial effect on regional development. Each plan shall be submitted to the commission before any action is taken to place the plan or any part thereof, into effect. No action shall be taken to place any plan or any part thereof into effect until 60 days have elapsed after the date of its submission to the commission or until the commission finds and notifies the submitting commission, board, or agency that the plan is consistent with its development plan for the region and the orderly and economic development of the region, whichever first occurs. If, within 60 days after the date of submission, the commission finds that a plan, or any part thereof, is inconsistent with its comprehensive plan for the region or detrimental to the orderly and economic development of the region, or any part thereof, such plan shall be indefinitely suspended. An affected independent commission, board, or agency may appeal the decision of the commission suspending a plan, or part thereof, to the commission, and if the commission and the affected independent commission, board, or agency are unable to agree as to an adjustment of the plan, so that it may receive the commission's approval, then a record of the disagreeing positions shall be made and presented for consideration and disposition by the state planning officer.

Subd. 3. [REVIEW OF FEDERAL AND STATE AID PROGRAMS.] The commission shall review all applications of governmental units, independent commissions, boards, or agencies operating in the region for a loan or grant from the United States of America or any agency, including state agencies and colleges or universities, for public facilities, studies, or any other purpose if the application clearly is related to the region, whether or not such review is required by the federal government. The review shall advise the granting authority as to relationship of the application to the comprehensive plans and priorities of the region as established by the region. All review actions together with copies of applications shall be submitted on a regular basis for informational purposes to the state planning agency. The requirements of this subdivision do not apply to applications of governmental units or other political subdivisions which have been reviewed by a subregion or subdistrict which has been designated by the United States Government as an authorized areawide review agency under Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966. All review actions, together with copies of applications, shall be submitted by the subregion on a regular basis to the commission for informational purposes.

Subd. 4. [REVIEW PROCEDURES.] The commission shall develop, in consultation with the

state planning officer, formal procedures for the review of plans, applications, and other matters required to be submitted to it by this act. Such procedures shall be embodied in a formal resolution adopted after public hearing. After adoption the resolution shall be transmitted to each governmental unit and independent agency, board, or commission within the region.

Subd. 5. [URBAN AND RURAL RESEARCH.] Where studies have not been otherwise authorized by law the commission may study the feasibility of programs relating but not limited to water, land use, economic development, minority problems, governmental problems, human and natural resources, communication, transportation, and other subjects of concern to the citizens of the region, may institute demonstration projects in connection therewith, and may accept gifts for such purposes as otherwise authorized in this act.

Subd. 6. [CIVIL DEFENSE AND FLOOD PLAIN MANAGEMENT.] The commission may coordinate civil defense, community shelter planning, and flood plain management programs within the region, accept gifts for such purposes as otherwise authorized in this act, and contract with local governmental agencies and consultants in connection therewith.

Subd. 7. [LOCAL GOVERNMENT BOUNDARIES.] The commission may

(1), participate as a party in any proceedings originating before the Minnesota municipal commission under Minnesota Statutes, Chapter 414, if the proceedings involve the change in a boundary of a governmental unit in the region; and

(2) conduct studies of the feasibility of annexing, enlarging, or consolidating local governmental units in the region.

Subd. 8. [SPECIAL DISTRICTS.] The commission may appoint from its membership a member to serve on any subregional planning board, any council of government within the region, and any multi-region or federal agency created by federal funds within the jurisdiction of the regional commission as authorized by law. Each member so appointed on each of such commissions shall serve without a vote.

Subd. 9. [DATA AND INFORMATION.] The commission in consultation with appropriate departments and agencies of the state may develop, in cooperation with the public and private colleges and universities and local governmental units, a center for data collection and storage to be used by it and other governmental and private users, and may accept gifts as otherwise authorized in this act for the purposes of furnishing information on such subjects as population, land use, governmental finances, and the like. The commission may enter into agreement with any state or federal agency to provide information to the local units of government, and others, regarding federal and state programs and data sources.

Subd. 10. [SERVICE TO LOCAL GOVERNMENT.] The commission may contract with local units of government to provide them with services and technical assistance in the conduct of local planning and development activities.

Sec. 12. [SPECIAL STUDIES AND REPORTS.] The commission may engage in a continuous program of research and study concerning the matters enumerated in this section but not limited thereto.

- (1) The acquisition and financing of suitable major parks and open spaces within the region;
- (2) The control and prevention of water and air pollution in conformity with applicable federal and state laws;
- (3) The examination of the tax structure in the region and consideration of ways to equalize the tax resources and fiscal disparities therein;
- (4) Flood plain management programs;
- (5) The possibility of consolidation of common services of local governmental units and the kind of consolidation most suitable in the public interest;
- (6) A long range capital improvement program for the region;
- (7) Identification of human, economic, social, physical, governmental problems, and opportunities;
- (8) Assignment of priorities for the development of human, economic, and natural resources of the region;
- (9) Identification of housing problems and planning work programs for housing;
- (10) Low income and minority group problems and opportunities; and
- (11) Identification of all facets and elements of law enforcement activity, including police, court, and correctional programs and systems.

Sec. 13. [REPORTS.] On or before February 1 of each year, the commission shall prepare a report for the governmental units, the public within the region, the legislature and the governor. The report shall include:

- (1) A statement of the commission's receipts and expenditures by category since the preceding report;
- (2) A detailed budget for the year in which the report is filed and the following year including an outline of its program for such period;
- (3) A description of any comprehensive plan adopted in whole or in part for the region;
- (4) Summaries of any studies and the recommendations resulting therefrom made for the region;
- (5) A listing of all applications for federal grants or loans made by governmental units within the region together with the action taken by the commission in relation thereto;
- (6) A listing of plans of local governmental units submitted to the region, and actions taken in relationship thereto; and
- (7) Recommendations of the commission regarding federal and state programs, cooperation, funding, and legislative needs.

Sec. 14. [CITIZEN PARTICIPATION AND ADVISORY COMMITTEES.] The commission may appoint advisory committees of interested and affected citizens to assist in the review of plans, programs, and other matters referred for review by the commission. Whenever a special advisory committee is required by any federal or state regional program the commission chairman shall, as far as practical, appoint such committees as advisory groups to the commission. Members of the advisory committees shall serve without compensation but shall be reimbursed for their reasonable expenses as determined by the commission.

Sec. 15. [DUTIES OF STATE AGENCIES, STATE PLANNING AGENCY.] All state departments and agencies shall cooperate with regional development commissions established under this act and shall make available to them studies, reports, data, and other informational and technical assistance within financial and personnel limitations. The state planning agency and the office of local and urban affairs shall coordinate the state's assistance programs to regional planning and development commissions.

Sec. 16. [FINANCIAL; STATE ASSISTANCE.] Subdivision 1. The state planning officer will make available to any commission created under this act a sum not to exceed \$25,000 a year for fiscal years 1970 and 1971, provided a work program is submitted acceptable to the state planning officer. Thereafter any regional commission may levy a tax on all taxable property in the region to provide funds for the purposes of this act.

Subd. 2. On or before October 1, 1971, and each year thereafter, the commission shall adopt, after a public hearing, a budget covering its anticipated receipts and disbursements for the ensuing year and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget. After adoption of the budget and no later than October 1, the secretary of the commission shall certify to the auditor of each county within the region the county share of such tax, which shall be an amount bearing the same proportion to the total levy agreed on by the commission as the assessed valuation of the county bears to the assessed valuation of the region. The maximum amount of any levy made for the purposes of this act shall not exceed one half mill on each dollar of assessed valuation of all taxable property in the region. The auditor of each county in the region shall add the amount of any levy made by the commission within the limits imposed by this subdivision to other tax levies of the county for collection by the county treasurer with other taxes. When collected the county treasurer shall make settlement of such taxes with the commission in the same manner as other taxes are distributed to political subdivisions. The levy authorized by this section shall be in addition to any other county taxes authorized by law.

Subd. 3. The commission may accept gifts, apply for and use grants or loans of money or other property from the United States, the state, or any person, local or governmental body for any commission purpose and may enter into agreements required in connection therewith and may hold, use, and dispose of such moneys or property in accordance with the terms of the gift, grant, loan,

agreement, or contract relating thereto.

Subd. 4. The commission shall keep an accurate account of its receipts and disbursement. Disbursements of funds of the commission shall be made by check signed by the chairman or vice chairman or secretary of the commission and countersigned by the executive director or his authorized deputy thereof after such auditing and approval of the expenditure as may be provided by rules of the commission. The public examiner shall audit the books and accounts of the commission once each year, or as often as funds and personnel of the public examiner permit. The commission shall pay to the state the total cost and expenses of such examination, including the salaries paid to the examiners while actually engaged in making such examination. The revolving fund of the public examiner shall be credited with all collections made for any such examination.

Subd. 5. Every contract of the commission for the purchase of merchandise, materials, or supplies which requires an expenditure of \$1,000 or more shall be let to the lowest responsible bidder after notice has been published once in a legal newspaper of general circulation in the region at least ten days in advance of the last day for the submission of bids.

Subd. 6. The commission shall from time to time designate one or more national or state banks, or trust companies authorized to do a banking business, as official depositories for money of the commission, and thereupon shall require the treasurer to deposit all or part of such money in such bank or banks. Such designation shall be in writing and set forth all the terms and conditions upon which the deposits are made, and shall be signed by the chairman and secretary, and made a part of the minutes of the commission. Any bank or trust company so designated shall qualify as a depository by furnishing a corporate surety bond or collateral as required by Minnesota Statutes, Chapter 118, and shall thereafter, as long as money of the commission is on deposit therein, maintain such bond or collateral and shall be required to secure any deposit, insofar as it is insured under federal law, as provided in Minnesota Statutes, Section 118.10.

Sec. 17. [EFFECTIVE DATE.] This act is effective on June 1, 1969.

SUGGESTED PETITION FOR ESTABLISHMENT OF A  
REGIONAL DEVELOPMENT COMMISSION IN  
ACCORDANCE WITH LAWS 1969,  
CHAPTER 1122

WHEREAS, Laws of Minnesota 1969, Chapter 1122, The Regional Development Act of 1969, provides that a Regional Development Commission may be established by the State Planning Officer upon petition of counties or municipalities representing a majority of the population in the region for which the commission is proposed, and

WHEREAS, within the area designated as Region \_\_\_\_\_ by Governor's Executive Order No. 60, June 12, 1970, there exists a need for a coordinated and cooperative effort to seek solutions to problems which involve more than one unit of government, and

WHEREAS, within this region regional planning is needed to coordinate efforts in such areas as transportation planning, regional park and open space planning, economic development planning, comprehensive health planning and criminal justice planning, and

WHEREAS, the (city, village council, Board of County Commissioners) of \_\_\_\_\_, Minnesota has carefully studied the Regional Development Act is of the opinion that benefits would be derived from the establishment of a Regional Development Commission for this region;

NOW THEREFORE, it is hereby resolved that the (city, village council, Board of County Commissioners) of \_\_\_\_\_, Minnesota, favors the establishment of a regional development commission for Region \_\_\_\_\_ and hereby petitions the State Planning Officer to establish such a Regional Development Commission as provided in said Act.

(Execution and attestation in the form used by the municipal council or county board.)

The Petition should be sent to the State Planning Agency, 603 Capitol Square, St. Paul 55101

SUGGESTED WORK PROGRAM FOR  
REGIONAL DEVELOPMENT COMMISSIONS

Section 16, Subd. 1, of the Regional Development Act of 1969 states, "The state planning officer will make available to any commission created under this Act a sum not to exceed \$25,000 a year for fiscal years 1970 and 1971, provided a work program is submitted acceptable to the state planning officer."

Because the work program will probably be prepared before the commission has a staff it is desirable to avoid complex requirements. However, because of the requirements of the Act, certain elements would appear necessary. For example, the Act directs the commission to: prepare and adopt a comprehensive development plan for the region; review plans of local government units and independent agencies; and review applications for federal and state aid.

In addition the commission is given the power to: engage in research; coordinate civil defense community shelter planning and flood plain management programs; participate in proceedings before the Minnesota Municipal Commission; and provide service to local government. Therefore it would appear reasonable to require that the work program indicate how the mandatory requirements of the Act will be satisfied. Since the mandatory requirements would require more than one year's effort, the work program should cover in general terms a three to five year period with a detailed program for the first year.

Attached is an outline that could be used in the preparation of a work program.

I. Reconnaissance Study -

A brief overview of the region with emphasis on the problems and potentials. This should also include an inventory of the planning agencies and programs, special districts, and independent agencies with which the commission will be working.

II. Proposed Program —  
Each of the mandatory requirements of the Act should be discussed both in general (3 to 5 years) and in detail (one year). Emphasis should be placed on the manpower necessary to complete the various work elements and the review procedure. In addition, the manner in which the various federal programs will be used should be discussed.

III. Proposed Budget —  
A budget covering the first year's program should be included. This should be by program but in addition should show the number and salary of staff. The source of funds should also be indicated.

OUTLINE OF SUGGESTED  
WORK PROGRAM FOR  
REGIONAL COMMISSIONS

I. Reconnaissance Study

- A. Regional Problems and Potentials
- B. Existing Planning Agencies
- C. Existing Planning Programs
- D. Special Districts
- E. Independent Agencies

II. Proposed Program (3 year general and 1 year detailed)

- A. "Comprehensive Development Plan for the Region"
  - 1. Elements
  - 2. Schedule
  - 3. Manpower

B. Planning Review of Local Government Units and Independent Agencies

- 1. Procedure
- 2. Manpower

C. Review of Federal and State Aid Applications

- 1. Procedure
- 2. Manpower

D. Miscellaneous

- 1. Research
- 2. Civil Defense and Flood Plain Management
- 3. Local Government Boundaries
- 4. Service to Local Government

E. Federal Programs

- 1. Section 403 of the Public Works and Economic Development Act of 1965.
- 2. Section 701 of the Housing Act of 1954, as amended.
- 3. Omnibus Crime Control Act of 1968.
- 4. Economic Opportunity Act of 1964.
- 5. Comprehensive Health Planning Act of 1965.
- 6. Regional Manpower Training Programs
- 7. Resource Conservation and Development Programs.

III. Proposed Budget and Schedule

EXISTING MULTI-COUNTY  
ORGANIZATIONS IN MINNESOTA

Prepared by Staff of Minnesota State  
Planning Agency Office of Local  
and Urban Affairs

(This is not meant to be an exhaustive list of all multi-county organizations. It was compiled to illustrate the extent of multi-county efforts currently underway in Minnesota which are encouraged by and usually financed by federal agencies, and which involve the creation of a "governing body" made up of local officials and/or citizens.)

ECONOMIC DEVELOPMENT DISTRICTS

Only one in Minnesota at this time. Funding is 75% federal, 25% local, with the federal share usually from the U.S. Department of Commerce. Other federal funds are available from HUD, HEW, Justice and Labor. This District is organized as a private non-profit corporation. Its purpose is to improve the income and employment opportunities in areas of high unemployment or low family income through multi-county planning and investment.

RESOURCE CONSERVATION AND DEVELOPMENT DISTRICTS

There are currently 3 designated in Minnesota. They are sponsored by the Soil Conservation Service of the U.S. Department of Agriculture. A plan is developed through 100% federal financing. Projects are constructed with local, state and federal money as may be appropriate. The objective is "the orderly regional development, conservation and utilization of the natural resources of rural areas through planning, technical and financial assistance to local organizations."

COMMUNITY ACTION AGENCIES

In Minnesota there are 25 multi-county and 3 single county Community Action Agencies. Funds are available from the Office of

Economic Opportunity to 90% of the total need. The purpose of the program is to "mobilize community resources to help families combat the problems of poverty such as poor health, inadequate education, unemployment and dilapidated housing."

BROAD PROGRAM AREAS (BPA)

This program was designed to broaden the viewpoint of Soil Conservation District Commissioners. 14 Broad Program Areas were designated crossing county lines. Each of the Soil Conservation Districts in each of the BPA's participated in developing a "plan" for BPA. Technical assistance was provided by U.S. Department of Agriculture, Soil Conservation Service personnel.

CONCENTRATED EMPLOYMENT PROGRAM (CEP)

There is one 10 county rural MinneCEP and 2 smaller urban CEP programs. This is funded by the U.S. Department of Labor in the 90% range. The program is organized as a private non-profit corporation. The purpose of a CEP is to administer training programs in order to provide employment for disadvantaged persons.

CONCENTRATED SERVICES IN TRAINING AND EDUCATION

This is a pilot program and at the moment only one has been created. It is administered by the Institute of Agriculture, University of Minnesota. Funding is 100% federal from HEW and Department of Labor. The purpose is to coordinate and concentrate federal training and education programs in a specific 3 county area.

COOPERATIVE AREA MANPOWER PLANNING SYSTEM  
(CAMPS)

There is one multi-county CAMPS area which is identical to the Rural MinneCEP area, there are also two smaller urban CAMPS areas. This is an attempt to coordinate all manpower programs within a given area. Representatives of the agencies with manpower programs sit together to arrive at means whereby the various programs would be complimentary rather than contradictory.

TECHNICAL ACTION PANELS (TAPS)

This program is also designed to coordinate activities. A TAP is

composed of all USDA personnel within an area and its purpose is to coordinate USDA efforts. Currently there are TAP's within each county, 7 district TAP's which are multi-county areas, and one state TAP.

#### TOURIST PROMOTION REGIONS

In 1967 the Minnesota Department of Economic Development delineated 6 tourist regions. Since the delineation private non-profit corporations have been organized within each region. Funding is with local and state moneys. The purpose of these corporations is to increase tourism within their area.

#### INDUSTRIAL (ECONOMIC) DEVELOPMENT ASSOCIATIONS

There are at least two in Minnesota organized as private non-profit organizations. One is the 19 county Southwest Minnesota Development Association; the other is the 6 county Northeast Minnesota Development Association. Funding is mainly from private donations, usually the industries and businesses within the area. The purpose of these organizations to promote industrial and economic development of their area.

#### WATERSHED DISTRICTS

Currently 18 are organized under state law (Chapter 112). Each District is governed by a board of managers which consists of 3 to 5 persons. Some federal money is available from P. L. 556. Some of the organized districts are entirely within one county.

#### AREAWIDE HEALTH PLANNING AGENCIES

Five of these agencies have been organized to study and determine which agency within the area should be responsible for areawide comprehensive health planning. Funding is 50% federal from HEW and 50% local from private sources such as hospitals, medical societies, etc. The agency is responsible for review and comments on distribution of Hill-Burton hospital construction funds within the area. These are organized as private non-profit corporations.

#### REGIONAL ADVISORY COUNCILS FOR LAW ENFORCEMENT PLANNING

Seven of these councils have been organized for the purpose of establishing a criminal justice planning process within the area and to develop a comprehensive criminal justice plan which will be utilized in the preparation of the state plan. Funding is 90% federal from the Department of Justice and 10% local from units of local government. In addition each Council is responsible for review and comments on applications for action funds made by units of local government within their area.

#### OTHER ORGANIZATIONS OF LOCAL GOVERNMENT

There are two Councils of Governments (Head of the Lakes — Duluth-Superior, and Fargo-Moorhead), one Regional Planning Board (Iron Range) and one Metropolitan Planning Organization (St. Cloud). Currently the Head of the Lakes COG has a staff financed by federal Department of Housing and Urban Development funds (75%) and local funds (25%). The others could also maintain staff with federal funds from HUD and local funds but have not done so at this time. The St. Cloud organization is exploring this possibility and could receive a HUD 701 grant in the near future.