

Mark Shepard, Legislative Analyst  
296-5051

### EXECUTIVE BRANCH ADVISORY GROUPS: SUMMARY OF SIGNIFICANT CHARACTERISTICS

This information brief summarizes the results of a study of executive branch advisory groups completed during the 1987 interim. A separate reference document entitled *Executive Branch Advisory Groups: Enabling Legislation and Significant Characteristics* provides more detailed information about each of the advisory groups.

#### SUBJECT

This information brief covers state government advisory groups that have the following four characteristics:

1. Each is in the executive branch (rather than the legislative or judicial branch).
2. Each is purely advisory (having no substantive regulatory or administrative power).
3. Each is authorized by statute (rather than by executive authority).
4. Each is permanent enough that the enabling legislation is codified in Minnesota Statutes.

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## Types of Advisory Groups and General Rules Governing them

### ***TYPES OF ADVISORY GROUPS***

***Councils:*** Advisory groups, in which at least one-half of the members must be representatives of specified industries, occupations or other organizations, are called "councils".

***Committees:*** Advisory groups, in which less than half of the members must be representatives of specified organizations, are called "committees".

***Task Forces:*** Advisory groups scheduled to expire within two years of creation are called "task forces". Statutes mandate the existence of some task forces. For others, the statute authorizes the head of a state agency to create a task force, but does not mandate the group's existence.

### ***GENERAL RULES GOVERNING ADVISORY GROUPS***

For many groups the law creating the group states that the membership terms, compensation, removal of members and expiration of the groups will be governed by the general rules set out in Minnesota Statutes, section 15.059. For other groups the law creating the group sets forth special rules on these topics, instead of referring to section 15.059. The general rules in section 15.059 are as follows:

### ***MEMBERSHIP TERMS***

Members of advisory **councils and committees** serve four-year terms. The terms of half of the members expire with the term of the Governor. The terms of the other half of the members expire the following year. Members of advisory **task forces** serve until the expiration date of the task force.

### ***APPOINTMENTS***

Appointments are generally governed by the "open appointments law".

- At least 45 days before a position becomes vacant, the chair must notify the Secretary of State of the upcoming vacancy.
- The Secretary of State must publish a notice of all vacancies in the State Register.
- People may nominate themselves or someone else for appointment.
- The Secretary of State gathers all applications and forwards them to the appointing authority.

The appointing authority must consider names submitted through the open appointments process, but is not bound to select from this list.

### **REMOVAL**

Members may be removed at the pleasure of the appointing authority. Appointing authorities are given special authorization to remove members who miss three consecutive meetings.

### **COMPENSATION**

Members of many advisory **councils and committees** governed by section 15.059 receive \$35 for each day spent on council or committee activities. Members of most groups are also reimbursed for meal and travel expenses. Members of advisory groups may be reimbursed for child care expenses incurred as a result of service on the group. Members of advisory **task forces** do not receive the \$35 per day, but are reimbursed for expenses. Public employees cannot receive the \$35 in addition to their normal salary if the advisory group activities take place during normal working hours.

It is not uncommon for the law creating an advisory group to stipulate that members will not receive the \$35 payments. The members of 45 out of the 87 advisory councils and committees identified as part of this study do not receive the \$35.

### **EXPIRATION OF ADVISORY GROUPS**

The 1983 Legislature provided for all advisory **councils and committees** that are governed by section 15.059 to expire on June 30, 1988. As noted on page 6, this is not really a general rule--there are more groups with no specific expiration date than groups that expire on June 30, 1988.

Two provisions govern expiration of advisory **task forces**. Those task forces mandated in statute generally expire two years after the effective date of the law creating the group. If a statute authorizes, but does not mandate, the existence of a task force, it expires at the pleasure of the person authorized to create the group. (Although the statute provides that these groups expire no later than two years after members are first appointed, it also provides that the appointing authority may reconstitute a new group.)

This system can create unusual results. Task forces that the Legislature mandates lose their authority to exist after two years. After that time, further legislation is needed to continue the group. On the other hand, when the Legislature gives an executive branch official discretion to create the group, the official can re-create task forces on the topic for an unlimited period without further legislation.

### **Prior Legislation Governing Advisory Groups**

The Legislature has enacted several pieces of legislation that deal generally with advisory groups.

- In 1975, the Legislature enacted section 15.059, which prescribed uniform provisions for membership terms, compensation of members, removal of members, and expiration of advisory groups. These provisions were intended to encourage uniformity, but the Legislature recognized that in individual circumstances there might be reasons to vary from the general provisions. In 1975 the per diem compensation rate was set at \$25. All councils and committees governed by section 15.059 were scheduled to expire on June 30, 1983.
- In 1976 the per diem rate was increased from \$25 to the current \$35. Expense reimbursement is based on the rates paid to state employees, and thus has increased several times since 1976 without the need for statutory change.
- In 1983, in response to the June 30, 1983 expiration date for many of the advisory groups, the Legislature made substantial changes in the status of many of the groups. Of 79 groups identified at that time, the Legislature repealed authorization for 16 groups. In the case of 27 other groups the Legislature amended laws that mandated the groups' existence and substituted language that gave specified state commissioners discretion to appoint task forces. An additional 27 groups were maintained as councils, but were scheduled to expire on June 30, 1988. Nine groups were maintained as councils with no specified expiration date.
- Between 1983 and 1988, various pieces of legislation created new groups and changed expiration dates applicable to existing groups. Of the 125 groups identified in this report, 55 have been created since January, 1983.

### Aggregate Information on Advisory Groups

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#### Type of Group

This study identifies 125 executive branch advisory groups:

- 84 Advisory councils and committees mandated by law
- 15 Advisory task forces mandated by law
- 23 Advisory task forces & 3 advisory committees authorized, but not mandated, by law.

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#### Number of Groups by Subject Area

Commerce, Economic Development, and Agriculture	14
Education	20
Environment and Natural Resources	14
Health, Human Services and Corrections	41
Labor and Employment	11
Other subject areas	25

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#### Number of Members per Group, as of October, 1987

<u>Members</u>	<u>Number of Groups</u>
0	13
1-7	15
8-13	36
14-19	27
20 or more	10
Unknown	24

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#### Estimated Budget: July 1, 1987-June 30, 1988 (fiscal year 1988)

<u>Dollars</u>	<u>Number of Groups</u>
0	38
1-1,000	18
1,001-5,000	16
5,001-10,000	9
10,001-25,000	17
More than 25,000	12
Unknown	15

NOTE: All information was provided by the advisory groups or their host agency. Some groups were able to isolate their own expenses. The expenses of other groups are paid through the host agency and sometimes are not accounted for separately. The total estimated fiscal year 1988 budget figures in this chart and in the table on pages 7 to 14 should be regarded as rough estimates.

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**Meetings Held: July 1, 1986-June 30, 1987 (fiscal year 1987)**

<u>Number of Meetings</u>	<u>Number of Groups</u>
0	21
1-5	33
More than five	40
Groups created after FY1987	19
Unknown	12

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**Expiration Date**

<u>Expiration Date</u>	<u>Number of Groups</u>
Already expired	4
June 30, 1988	33
Other specific date in the future	11
No expiration date specified	50
Expire at pleasure of appointing authority	27

NOTE: The expiration date for several groups is ambiguous. For purposes of this chart, the most likely date was selected.

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**Appointing Authority**

Executive branch commissioners or boards appoint the members of most councils. The Governor appoints some or all of the members of 17 of the 125 groups included in this report.

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**EXECUTIVE BRANCH ADVISORY GROUPS**

	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
<b>COMMERCE, ECONOMIC DEVELOPMENT AND AGRICULTURE</b>						
Ag Resource Loan Guaranty Advisory Committee	10	1	Not Specified	0	0	10
Commercial Raising of Fish Adv. Committee	15	20	Not Specified	\$ 600	0	20
Continuing Insurance Education Adv. Task Force	8	2	At Discretion of Commerce Commissioner	0	0	0-1
Cosmetology Advisory Council	11	3	June 30, 1988	\$ 1,071	0	0
Credit Union Advisory Task Force	0	2	At Discretion of Commerce Commissioner	0	0	0
Energy Policy Development Task Force	0	0	At Discretion of Public Service Comm'r	0	0	0
Family Farm Advisory Council	7	3	June 30, 1988	\$ 2,600	0	1
Hazardous Substance Notification Adv. Committee	11	12	Ambiguous--Probably June 30, 1988	\$15,000	0	4
Pipeline Safety Advisory Council	9	New	Not Specified	\$ 5,100	0	32
Real Estate Advisory Task Force	7	2	June 30, 1985	0	0	0-1
Regional Advisory Committee	N/A	N/A	June 30, 1988	N/A	N/A	N/A
Science and Technology Research Committee	13	New	Probably not specified	\$49,000	0	175
Seed Potato Certification Advisory Task Force	6	2	At Discretion of Ag Commissioner	\$1,080	0	4
Uniform Conveyancing Forms Advisory Task Force	12	10	At Discretion of Commerce Commissioner	0	0	2

	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
<b>EDUCATION</b>						
American Indian Language and Culture Task Force	16	4	At Discretion of Board of Education	\$21,500	0	28
Average Cost Funding Task Force	11	2	Not Specified	\$ 1,000	0	65
Community Education Advisory Task Force	N/A	N/A	Ambiguous; possibly 1989	N/A	N/A	N/A
Curriculum Advisory Committee	11	9	Not Specified	\$18,000	0	32
Education Council	N/A	N/A	Not Specified	N/A	N/A	N/A
Educational Effectiveness Task Force	22	5	Ambiguous; possibly 1985	\$ 8,000	0	3
Elementary, Secondary and Vocational Computer Council	13	12	Not Specified	\$ 5,000	0	88
Higher Education Advisory Council	9	10	Not Specified	\$150	0	2.5
Higher Education Program Goal and Test Selection Task Force	19	6	Ambiguous	\$ 800	0	.5
Indian Scholarship Committee	15	4	At Discretion of Board of Education	\$17,910	0	19
Master Learning Advisory Committee	15	4	June 30, 1988 (no longer funded)	0	0	40
Nonpublic Education Council	15	3	Not Specified	\$ 7,200	0	6
Permanent School Fund Advisory Committee	N/A	N/A	Not Specified	N/A	N/A	N/A
Programs of Excellence Committee	N/A	N/A	June 30, 1988	N/A	N/A	N/A
School of the Arts Resource Center Advisory Council	18	6	Not Specified	0	0	20
State Academy for Deaf & Blind Adv. Council	15	4	Not Specified	\$ 3,000	0	2
Student Advisory Council	6	7	Not Specified	\$ 105	0	1.5



Executive Branch Advisory Groups  
Summary of Significant Characteristics

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	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
Summer Scholarship Advisory Committee	12	8	Not Specified	\$ 1,200	0	15
Teacher Mentoring Task Force	15	New	1989	\$ 3,500	0	N/A
Uniform Financial Accounting & Reporting Standards Advisory Council	13	6	June 30, 1988	0	0	24

**ENVIRONMENT AND NATURAL RESOURCES**

Boundary Waters Canoe Area - Citizens Advisory Task Force	N/A	N/A	At Discretion of DNR Commissioner	N/A	N/A	N/A
Hazardous Substance Notification Adv. Committee	11	12	Ambiguous; probably June 30, 1988	\$15,000	0	4
Hazardous Waste Management Planning Council	16	12	Not Specified	\$14,130	0	25
Interagency Technical Advisory Council - Waste	0	0	Not Specified	0	0	0
Low-Level Radioactive Waste Adv. Committee	11	5	Not Specified	0	0	15
Low-Level Radioactive Waste Technical Advisory Task Force	10	7	At Discretion of Radioactive Waste Advisory Committee	0	0	15
Nuclear Waste Advisory Council	9	1	Based on federal government action	\$22,720	.5	20
Outdoor Recreation Advisory Task Force	N/A	N/A	At Discretion of Trade & Economic Development Commissioner	N/A	N/A	N/A
Power Plant Siting Advisory Committees	N/A	0	Not Specified	0	0	0
Power Plant Siting Scientific Adv. Committee	N/A	0	At Discretion of EQB	0	0	0
Solid Waste Management Advisory Council	15	12	Not Specified	\$16,130	0	30
Voyageurs National Park Citizens' Council	17	3	June 30, 1989	\$70,000	0	108
Wastewater Treatment Technical Adv. Committee	9	6	Not Specified	0	0	20

	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
Water & Wastewater Treatment Operators Certification Council	6	4	June 30, 1988	\$ 164	0	10
<b>HEALTH, HUMAN SERVICES AND CORRECTIONS</b>						
AFDC Verification Procedures Adv. Committee	N/A	New	Not Specified	0	0	30
Alcohol and Other Drug Abuse Advisory Council	11	11	June 30, 1988	\$10,150	0	21
American Indian Advisory Council	17	9	Ambiguous; probably June 30, 1988	\$15,050	0	38
American Indian Child Welfare Task Force	17	New	June 30, 1991	\$ 1,400	0	N/A
Battered Women Advisory Council	9	13	Not Specified	\$15,500	0	60
Cancer Surveillance System Advisory Committee	10	New	Not Specified	\$ 500	0	0
Child Abuse Prevention Advisory Council	15	17	Not Specified	\$102,500	2	320
Child Care Advisory Task Force	0	0	At Discretion of Human Services Comm'r	0	0	0
Community Health Advisory Committee	47	38	June 30, 1988	\$24,000	0	560
Controlled Substances Advisory Task Force	12	0	At Discretion of Board of Pharmacy	0	0	0
Council for the Blind	7	10	Not Specified	\$10,500	.2	0
Crime Victim and Witness Advisory Council	15	11	Not Specified	\$41,542	1.3	20
Day Training & Habilitation Services Task Force	15	New	1989	\$ 500	0	10
Disability Council	21	6	Not Specified	\$419,000	10	N/A
Health Advisory Task Force	0	0	At Discretion of Health Commissioner	0	0	0
Health Promotion and Wellness Task Force	0	0	At Discretion of Health Commissioner	0	0	0

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	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
Hearing Impaired Council	15	4	Not Specified	\$9,180	0	10
Home Care Advisory Task Force	15	New	June, 1989	\$ 8,500	0	40
Human Services Occupations Advisory Council	13	12	Probably June 30, 1988	\$ 5,250	0	30
In-Home Services Advisory Task Force	N/A	New	1989	\$ 800	0	160
Interagency Coordinating Council for Handicapped Children	N/A	New	Not Specified	N/A	N/A	N/A
Maternal and Child Health Advisory Task Force	15	11	June 30, 1988	\$9,850	0	160
Medical Assistance Peer Advisory Committee	N/A	0	Not Specified	0	0	N/A
Medical Assistance Vendor Advisory Committee	N/A	0	Not Specified	0	0	N/A
Medical Assistance Formulary Committee	8	0	Not Specified	\$ 400	0	5
Medical Policy Directional Task Force	9	4	At Discretion of Human Services Comm'r	\$ 1,800	0	1-2
Mental Health Advisory Council	25	New	Not Specified	\$11,000	0	10
Mental Retardation & Related Conditions Task Force	21	6	At Discretion of Human Services Comm'r	\$ 1,000	0	4-5
Mortuary Sciences Advisory Council	4	4	June 30, 1988	\$ 995	0	27
Nursing Home Ancillary Services Adv. Committee	N/A	New	Not Specified	0	0	N/A
Nursing Home Therapy Services Adv. Committee	20	New	Not Specified	\$ 100	0	6
Ombudsman Committee	N/A	New	Not Specified	N/A	N/A	N/A
Ombudsman Medical Review Subcommittee	N/A	New	Not Specified	N/A	N/A	N/A
Pharmacy Continuing Education Task Force	10	16	At Discretion of Pharmacy Board	\$ 600	0	8
Physical Therapists Council	6	6	June 30, 1988	\$63,400	0	13

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	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
Poison Information Center Advisory Task Force	6	3	At Discretion of Health Commissioner	\$ 350	0	3
Pre-vocational Training for Patients with Mental Illness, or Mental Retardation Advisory Committee	N/A	N/A	Not Specified	N/A	N/A	N/A
Water Conditioning Advisory Board	0	0	Not Specified	0	0	0
Water Well and Exploratory Borers Adv. Council	16	4	June 30, 1988	\$ 2,100	0	15
Women Offenders in Corrections Task Force	20	9	At Discretion of Corrections Comm'r	\$ 6,500	0	24

**LABOR AND EMPLOYMENT**

Apprenticeship Advisory Council	9	4	June 30, 1988	\$ 3,200	0	2
Code Enforcement Advisory Council	11	0	Not Specified	0	0	6
Employment Agency Task Force	0	0	At Discretion of Labor and Industry Comm'r	0	0	0
Jobs and Training Advisory Council	N/A	N/A	June 30, 1988	N/A	N/A	N/A
Labor Interpretive Center Advisory Council	N/A	N/A	Not Specified	N/A	N/A	N/A
Minimum Wage Advisory Committee	0	0	Not Specified	0	0	0
Occupational Safety and Health Advisory Council	12	4	June 30, 1988	\$ 3,410	0	12
OSHA Agricultural Work Advisory Task Force	0	0	Probably 1986	0	0	0
Vocational Rehabilitation Consumer Adv. Council	9	8	June 30, 1988	\$ 3,900	0	25
Workers' Compensation Advisory Council	19	8	Not Specified	\$ 7,000	0	24
Workers' Compensation Insurance Adv. Committee	4	3	Not Specified	\$12,000	0	0

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	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
<b>OTHER GROUPS</b>						
Asian-Pacific Minnesotans Council	13	10	Ambiguous; probably not specified	\$130,000	2	0
Audit Guide Task Force	15	0	Ambiguous; probably 1985	0	0	0
Black Minnesotans Council	7	12	Ambiguous; possibly June 30, 1988	\$150,700	3.5	0
Cty & Municipal State Aid Hwy System Committee	21	15	Not Specified	\$ 2,100	0	0
Governor's Residence Council	15	7	June 30, 1988	\$18,560	.5	0
Highway Jurisdiction Advisory Committee	15	0	Not Specified	0	0	80
Human Rights Advisory Task Force	14	10	At Discretion of Human Rights Comm'r	\$ 3,500	0	40
Indian Affairs Council	11	5	Ambiguous; possibly June 30, 1988	\$329,300	9	0
Insurance Advisory Task Force	12	2	At Discretion of Emp. Relations Comm'r	\$ 50	0	1
Intergovernmental Information Systems Adv. Council	25	26	June 30, 1988	\$163,800	0	232
Investment Advisory Council	17	4	June 30, 1988	\$ 1,000	0	12
Mississippi River Parkway Commission	10	6	June 30, 1988	\$22,700	1	N/A
Productivity and Quality Council	9	New	June 30, 1989	\$100,000	2	80
Productivity Fund Task Force	N/A	New	1989	0	0	0
Public Broadcasting Advisory Task Force	0	0	At Discretion of Commissioner of Adm.	0	0	0
Public Employee Insurance Labor/Mgmt Committee	10	New	Not Specified	0	0	2
Sign Franchise Advisory Committee	0	0	Not Specified	0	0	0

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	# of Members Oct 87	# of Mtgs FY87	Statutory Expiration Date	Est. FY88 Budget	FTE staff hired by Council	Hrs per mo. Host Agency staff serve Council
Small Business Procurement Advisory Council	13	12	Ambiguous; possibly June 30, 1988	0	0	20
Spanish-Speaking People Council	7	N/A	June 30, 1988	\$154,300	3	0
State Employee Assistance Program Adv. Committee	0	0	June 30, 1988	0	0	0
State Information Systems Adv. Task Force	N/A	New	Probably July 1, 1989	N/A	N/A	N/A
Urban Indians Advisory Council	5	3	June 30, 1988	See "Indian Affairs Council"		
Volunteer Services Advisory Committee	29	3	June 30, 1988	\$ 3,100	0	4-6
Voting Systems Advisory Task Force	7	1	At Discretion of Secretary of State	0	0	0-6
Zoo Advisory Committee	N/A	N/A	At Discretion of Zoo Board	N/A	N/A	N/A