

The statewide program and any revisions thereto shall be adopted as rules ~~but~~ and individual agency affirmative action plans adopted pursuant to the statewide program shall ~~not~~ be in accordance with adopted as rules. As used in this section, "protected group" means a group consisting of females, handicapped persons, and until 1989 veterans who served in the military service of this country during the period July 1, 1964, to December 31, 1976, and separated under honorable conditions from any branch of the armed forces of the United States: (a) after having served on active duty for 181 consecutive days or (b) by reason of disability incurred while serving on active duty, and who are permanent residents of the state of Minnesota, or members of the following minorities: Black, Hispanic, Asian or Pacific Islander, American Indian or Alaskan native.

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved May 29, 1979.

CHAPTER 246—S.F.No.787

An act relating to commerce; creating a business assistance center within the department of economic development; amending Minnesota Statutes 1978, Sections 161.321, Subdivision 1; 362.42; and Chapter 362, by adding sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1978, Section 161.321, Subdivision 1, is amended to read:

161.321 SMALL BUSINESS CONTRACTS. Subdivision 1. **DEFINITIONS.** For purposes of this section the following terms have the meanings given them, except where the context clearly indicates a different meaning is intended.

(a) "Small business" means a business entity organized for profit, including an individual, partnership, corporation, joint venture, association or cooperative which has its principal place of business in these United States; and which (i) in the preceding three fiscal years has not exceeded an aggregate total of \$3,000,000 in gross receipts; and (ii) is not an affiliate or subsidiary of a business which in the preceding three fiscal years has exceeded an aggregate total of \$5,000,000 in gross receipts.

(b) "Socially or economically disadvantaged person" means a person who has been deprived of the opportunity to develop and maintain a competitive position in the economy because of social or economic disadvantage. This disadvantage may arise from cultural, social or economic circumstances or background; physical location if the person resides or is employed in an area declared as a labor surplus area by the United States department of commerce; or other similar cause.

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(e) ~~“Physically handicapped person” means a person who has suffered a substantial physical disability or dysfunction.~~

(d) (a) “Award” means the granting of a contract in accordance with all applicable laws, regulations and rules governing competitive bidding, except as hereinafter specifically modified.

(e) (b) “Contract” means an agreement entered into between a business entity and the state of Minnesota for the construction of transportation improvements.

(f) (c) “Subcontractor” means a business entity which enters into a legally binding agreement with another business entity which is a party to a contract as defined in clause (e) (b).

Sec. 2. Minnesota Statutes 1978, Section 362.42, is amended to read:

362.42 **SMALL BUSINESS ASSISTANCE.** The commissioner of economic development shall establish within the department ~~an operating unit having a business assistance center.~~ The center shall consist of (1) a bureau of small business which shall have as its sole function the provision of assistance to small businesses in the state and (2) a bureau of licenses to assist all businesses in obtaining state licenses and permits. This ~~unit center~~ shall be accorded at least equal status with the other major operating units within the department.

Sec. 3. Minnesota Statutes 1978, Chapter 362, is amended by adding a section to read:

[362.44] BUREAU OF SMALL BUSINESS. Subdivision 1. The bureau of small business within the business assistance center shall serve as a clearinghouse and referral service for information needed by small businesses including those operated by a socially or economically disadvantaged person.

Subd. 2. The bureau shall:

(a) Plan, promote, coordinate and execute activities of concern to the bureau of small business;

(b) Plan, direct and evaluate all management and technical assistance programs to insure an efficient and effective delivery of services to the small business community;

(c) Determine and establish annual goals by implementing reporting requirements essential to the continual evaluation of the bureau of small business, and report each biennium to the appropriate legislative committees the results of the evaluation;

(d) Maintain a close and continued relationship with the director of the procurement program within the department of administration;

(e) Plan, coordinate and execute an up-to-date master file system that lists all Changes or additions indicated by underline deletions by ~~strikeout~~

assistance programs for small businesses from federal, state, non-governmental agencies, chambers of commerce, educational institutions, civic organizations and private industry; and

(f) Develop an information system, with due regard to privacy statutes, which will enable the commissioner and other state agencies to efficiently store, retrieve, analyze and exchange data regarding business development and growth in the state.

Subd. 3. The bureau may be assisted by small business assistance specialists. The specialists may provide information to small businesses concerning programs, functions, services, location and contact points of all educational institutions, chambers of commerce, civic organizations, private industrial associations and federal, state and local government agencies located or operating in the state with respect to small business activities.

A toll free telephone number shall be established so that all small business persons anywhere in the state can call the bureau office for assistance. An outreach program shall be established to make the existence of the bureau well known to its potential clientele throughout the state.

Subd. 4. Except as otherwise provided in this section, the responsibilities of the bureau of small business may include the following:

(a) Providing information and assistance with respect to laws, rules and regulations, forms, licenses and financing to persons who want to start or already operate a small business;

(b) Referring persons who want to start or already operate a small business to assistance programs sponsored by federal agencies, state agencies, educational institutions, chambers of commerce, civic organizations, community development groups, and private industry associations;

(c) Conducting research and providing data required by the state legislature;

(d) Developing and publishing materials on small business laws, rules and regulations, potential financing, licenses and other programs offered by federal, state and local agencies, non-governmental agencies and private sources;

(e) Collecting and disseminating information on state contracts, including the policies and procedures to submit bids for state contracts; and

(f) Developing a public awareness program through the use of newsletters, personal contacts, and electronic and print news media advertising state assistance programs for small businesses, including those programs specifically for socially disadvantaged small business persons.

Sec. 4. Minnesota Statutes 1978, Chapter 362, is amended by adding a section to read:

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[362.45] BUREAU OF BUSINESS LICENSES. Subdivision 1. The bureau of business licenses shall study all state licenses, including registrations, permits and related requirements, for the operation of a business within Minnesota. The bureau shall also study applications and forms not necessarily related to licenses, which are required by state agencies to operate a business within the state. All state agencies shall cooperate with and provide information to the bureau of business licenses in conducting the study. The bureau shall issue a preliminary report to the appropriate standing committee of the legislature no later than January 1, 1980, and shall issue its final report to the governor and legislature by January 1, 1981. The final report shall include, but need not be limited to, recommendations as to:

(a) Reducing the total number of licenses required to conduct business in the state;

(b) Eliminating licenses which no longer serve a useful purpose in regulating business activities;

(c) Modifying and combining licenses;

(d) Determining the need and justification for maintaining a license within the current issuing agency rather than transferring the authority to issue the license to the bureau of business licenses;

(e) Analyzing and making a recommendation as to whether the enforcement of a current licensing requirement shall be transferred to the bureau of business licenses;

(f) Determining the structure, budget, duties, and staff complement necessary to perform the licensing activities being transferred to the bureau of licenses;

(g) Developing an information system which will (1) enable state agencies to efficiently store, retrieve and exchange registration and license information, with due regard to privacy statutes, and (2) enable the bureau of business licenses to issue and renew licenses when appropriate;

(h) Recommending which licenses should not be issued by the bureau of business licenses; and

(i) Modifying, simplifying and combining applications and forms required to operate a business within the state.

Subd. 2. The issuance of all state licenses, including registrations, permits and related requirements, for the operation of a business within Minnesota shall be transferred to the bureau of business licenses between July 1, 1981 and July 1, 1982 unless otherwise provided by law. Enforcement of requirements to obtain or maintain a license shall remain with the agency which formerly issued the license unless otherwise provided by law. When authority to issue or enforce a license is transferred to the bureau of business licenses, the budget and staff necessary to perform those functions shall also be transferred to the bureau of business licenses.

Approved May 29, 1979.

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