
 CHAPTER 220—H.F.No.212

[Coded]

An act relating to employment fees; providing period when fees must be refunded; amending Minnesota Statutes 1976, Section 184.38, by adding a subdivision.

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

Section 1. Minnesota Statutes 1976, Section 184.38, is amended by adding a subdivision to read:

Subd. 19. EMPLOYMENT AGENCIES; FEES. No person shall be required to pay a fee to an employment agency for a position, whether temporary or permanent, if the applicant withdraws acceptance of a position within three days, excluding Saturday, Sunday and legal holidays, of signing an acceptance form and notifies the agency in writing of the withdrawal, provided that the applicant did not actually start the job. The three day withdrawal period applies regardless of who is to pay the fee to the employment agency.

Sec. 2. EFFECTIVE DATE. This act shall become effective the day following its enactment.

Approved May 20, 1977.

 CHAPTER 221—H.F.No.323

[Not Coded]

An act relating to Dakota county; providing that the office of administrative assistant to the sheriff shall be unclassified; authorizing sheriff's civil service commissioners to hold other public office or employment; providing for a per diem.

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

Section 1. **DAKOTA COUNTY; SHERIFF; ADMINISTRATIVE ASSISTANT.** Notwithstanding any provision of Minnesota Statutes, Sections 387.31 to 387.45, to the contrary, the Dakota county board may create the office of administrative assistant to the sheriff in Dakota county, which shall be unclassified.

Sec. 2. Notwithstanding Minnesota Statutes, Section 387.33, Subdivision 2, or any other law to the contrary, in Dakota county, a sheriff's civil service commissioner may, while serving as a commissioner, hold other office or employment under the county, any city, the United States, the state of Minnesota, or any public corporation or political subdivision thereof, if the office or employment does not conflict with or compromise the

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impartiality of the commissioner in carrying out the duties, obligations and responsibilities imposed on him by law as a commissioner. It shall be the responsibility of the Dakota county board of commissioners to determine whether a conflict or lack of impartiality exists.

Sec. 3. Notwithstanding Minnesota Statutes, Section 387.34, or any other law to the contrary, in Dakota county a sheriff's civil service commissioner may be paid a per diem, to be set by the board of county commissioners, and actual and necessary travel expenses for travel incurred in attending meetings of the commission.

Sec. 4. This act is effective upon approval by the board of county commissioners of Dakota county and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 20, 1977.

CHAPTER 222—H.F.No.339

[Coded]

An act relating to transportation construction contracts; providing for small business contracts; requiring a report; amending Minnesota Statutes 1976, Chapter 161, by adding sections.

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

Section 1. Minnesota Statutes 1976, Chapter 161, is amended by adding a section to read:

[161.321] TRANSPORTATION; 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 Minnesota, and which (i) in the preceding three fiscal years has not exceeded a 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 a 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.

(c) "Physically handicapped person" means a person who has suffered a substantial

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