

a balance of cash and investments therein by October 10 in each year at least equal to the total amount of principal and interest due and to become due on general obligation revenue or from other available moneys, amounts at least sufficient to permit cancellation of the taxes referred to in subdivision 2 and to pay principal and interest due on the following year on general obligation revenue bonds of the commission; and, to the extent determined by the commission, sufficient to produce a balance of cash and investments therein not exceeding the total amount of principal and interest due and to become due on all bonds of the commission to the end of the second following year. If the such revenues or other available moneys are insufficient in any year to produce the required minimum balance or any larger balance established by the commission, then unless provision is made for restoring the deficiency in accordance with the provisions of subdivision 8, the commission shall levy and appropriate to the debt service fund, and certify to the county auditors of all counties in the metropolitan area, a tax in accordance with subdivision 3 in an amount at least five percent in excess of the deficiency. For the purpose of determining the balance in the debt service fund at any time, investments held therein shall be valued at the principal amount payable at maturity if they mature in the following year, or otherwise at market value, plus the amount of interest receivable thereon to the end of the following year.

Sec. 3. Minnesota Statutes 1976, Section 473.667, is amended by adding a subdivision to read:

Subd. 8a. REFUNDING BONDS. The commission may issue general obligation revenue refunding bonds to refund bonds issued pursuant to subdivision 2 in accordance with section 475.67, subdivisions 1 to 11.

Sec. 4. This act is effective the day after final enactment.

Approved March 23, 1978.

CHAPTER 532-S.F.No.1693

An act relating to the national guard; increasing the pay for enlisted persons on active duty; amending Minnesota Statutes 1976, Section 192.51, Subdivision 2; repealing Minnesota Statutes 1976, Section 192.51, Subdivision 1.

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

Section 1. Minnesota Statutes 1976, Section 192.51, Subdivision 2, is amended to read:

Subd. 2. **ACTIVE DUTY PAY.** When called into active service by the governor, other than for encampment or maneuvers, including the time necessarily consumed in travel, each enlisted ~~man~~ person of the military forces shall be paid by the state the pay and the allowances, when not furnished in kind, provided by law for enlisted ~~men~~ persons of similar grade, rating and length of service in the armed forces of the United States, or

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~~§12 §35~~ a day, whichever is more; and in addition thereto, the sum of \$2.50 a day.

Sec. 2. Minnesota Statutes 1976, Section 192.51, Subdivision 1, is repealed.

Approved March 23, 1978.

CHAPTER 533-S.F.No.1704

[Not Coded]

An act relating to the city of Minneapolis and the housing and redevelopment authority in and for the city of Minneapolis; establishing a program setting aside a portion of services and materials for small businesses.

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

Section 1. **DEFINITIONS.** Subdivision 1. For the purposes of sections 1 to 3, the following words and phrases shall have the meanings given them, unless the language or context clearly indicates that a different meaning is intended.

Subd. 2. "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, or such smaller geographical area as determined by the city council of the city of Minneapolis, or the board of commissioners of the housing and redevelopment authority in and for the city of Minneapolis except as otherwise provided, and which is not (a) dominant in its field of operation, or (b) an affiliate or subsidiary of a business dominant in its field of operation. Where a federal program prohibits any geographical limitation on the principal place of business of an eligible business, in order for the city or authority to be eligible for funds, the federal requirement shall prevail.

Subd. 3. "Dominant in its field of operation" means exercising a controlling or major influence in a business activity in which a number of businesses are engaged. In determining if a business is dominant, the following criteria, among others, shall be considered: number of employees; volume of business; financial resources; competitive status or position; ownership or control of materials, processes, patents, license agreements and facilities; sales territory; and nature of business activity. The following businesses shall be deemed dominant in their field of operation:

(a) Manufacturing businesses which employ more than 100 persons and have in the preceding three fiscal years exceeded a total of \$15,000,000 in gross receipts for the three year period.

(b) General construction business which in the preceding three fiscal years exceeded a total of \$6,000,000 in gross receipts for the three year period.

(c) Specialty construction businesses which in the preceding three fiscal years

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