

than one-third of the individuals on an appointment list are members of the protected group for which a disparity has been determined to exist, the commissioner shall certify, if possible, as many additional names in order from the eligible list as are necessary so that persons from all the protected groups for which a disparity has been determined to exist comprise one-third of the appointment list or until an aggregate total of three persons from all the protected groups for which a disparity has been determined to exist have been added to the appointment list, whichever comes first. Notwithstanding any provision of this subdivision to the contrary, no person shall be added to an appointment list as a result of this subdivision if that person received a score of less than 70 on the applicable test.

Subd. 6. DISCRIMINATION PROHIBITED. No discrimination shall be exercised, threatened, or promised by any person in the civil service against, or in favor of, any applicant, eligible, or employee in the civil service because of his political or religious opinions or affiliations, or age, race, sex, or disability. Implementation of subdivisions 1 to 5 shall not be deemed a violation of this subdivision or a violation of any provisions of chapters 43 or 363, nor shall this section be construed to deny a veteran a credit afforded him pursuant to section 43.30.

Sec. 2. TEMPORARY PROVISIONS. This act supersedes and replaces executive orders of the governor relating to affirmative action and equal employment opportunity. Notwithstanding the foregoing, a statewide affirmative action program in effect on the effective date of this act and agency affirmative action plans adopted pursuant to that statewide program, shall be and remain effective until superseded, amended or repealed pursuant to this act.

Sec. 3. EFFECTIVE DATE. This act is effective July 1, 1978.

Approved March 28, 1978.

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CHAPTER 709-S.F.No.1450

[Coded in Part]

*An act relating to economic development; creating an operating unit within the department of economic development relating to small businesses; creating an advisory task force; requiring reports and recommendations; transferring the administration of laws relating to community development corporations; amending Minnesota Statutes, 1977 Supplement, Section 362.41, Subdivision 5; and Minnesota Statutes 1976, Chapter 362, by adding a section.*

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

Section 1. POLICY. The purpose of this act is to create a highly visible structure within the department of economic development having as its sole function the servicing of small businesses. The legislature intends by this act to begin a comprehensive analysis of methods to coordinate and expand activities of state agencies relating to the promotion

Changes or additions indicated by underline deletions by ~~strikeout~~

and development of commercial and industrial activities in the state.

Sec. 2. Minnesota Statutes 1976, Chapter 362, is amended by adding a section to read:

[362.42] SMALL BUSINESS ASSISTANCE. The commissioner of economic development shall establish within the department an operating unit having as its sole function the provision of assistance to small businesses in the state. This unit shall be accorded equal status with the other major operating units within the department.

Sec. 3. ADVISORY TASK FORCE. There is created a small business advisory task force to advise the commissioner on the implementation of section 2. The task force shall consist of three members of the senate appointed by the subcommittee on committees, three members of the house appointed by the speaker, and five members appointed by the governor. The gubernatorial appointees shall be governed by section 15.059 and shall be representative of geographical regions. At least three of the gubernatorial appointees shall be small businessmen. The primary duty of the task force shall be to advise the commissioner and the legislature on structuring and allocating resources to the operating unit established in section 2 and to (a) develop a plan for establishing a statewide educational consortium for small business development for the purpose of coordinating and promoting existing and future services and programs among post-secondary educational institutions located in this state which might aid the development of small businesses; (b) study the feasibility of establishing regional educational consortiums for small business development; and (c) otherwise develop a system of information retrieval and technical services coordination for the purpose of assisting small businesses in solving problems concerning operations, manufacturing, engineering, technology development, marketing, finance and accounting, and other matters needed by small businesses for expansion, management improvement, and for increasing industry competition. In the performance of those duties, the council shall, whenever possible, consult with agencies and organizations concerned with small business. In addition, the task force shall recommend to the commissioner an appropriate definition of "small business" to be used by the department. The task force shall submit its final report to the legislature and the commissioner no later than December 1, 1978, and the commissioner shall establish the operating unit no later than July 1, 1979. Notwithstanding the foregoing, the commissioner is encouraged to establish the unit as soon as possible after the effective date of this act on a temporary basis pending receipt of the final task force report. The legislative coordinating commission shall provide the task force with necessary staff and administrative support services.

Sec. 4. Minnesota Statutes, 1977 Supplement, Section 362.41, Subdivision 5, is amended to read:

Subd. 5. The director of the state planning agency commissioner of economic development shall administer this section and shall enforce the rules related to the community development corporations promulgated by the department of economic development commissioner. The director commissioner may amend, suspend, repeal or otherwise modify these rules as provided for in chapter 15.

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Sec. 5. **TRANSFERS; REVISOR'S INSTRUCTIONS.** The commissioner of administration shall transfer by reorganization order personnel, funds, and materials necessary to implement section 4. The revisor of statutes shall in the next and subsequent editions of Minnesota Statutes change the references to "director" in section 362.41 to read "commissioner".

Sec. 6. **RECOMMENDED STATUTORY CHANGES.** No later than February 1, 1979, the commissioner of economic development shall recommend to the governor and the legislature statutory changes designed to provide for a coordinated and comprehensive delivery of assistance to commercial and industrial enterprises in the state. The commissioner shall examine and catalogue those existing services provided by state agencies, and shall recommend a delivery structure. The heads of affected agencies shall assist the commissioner in the preparation of these recommendations.

Sec. 7. **EFFECTIVE DATE.** Sections 1 to 6 are effective the day after final enactment. Sections 3 and 6 shall expire July 1, 1979.

Approved March 28, 1978.

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CHAPTER 710-S.F.No.1468

[Coded]

*An act relating to commerce; regulating the repair of motor vehicles, appliances, and dwelling places; regulating service calls, estimates, and repairs; providing penalties.*

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

Section 1. ~~[325.968]~~ **DEFINITIONS.** Subdivision 1. For the purposes of sections 1 to 11, the following terms have the meanings given them.

Subd. 2. "Repairs" means work performed for a total price of more than \$100 and less than \$2,000, including the price of parts and materials, to restore a malfunctioning, defective, or worn motor vehicle, appliance, or dwelling place used primarily for personal, family, or household purposes and not primarily for business or agricultural purposes. "Repairs" do not include service calls or estimates.

Subd. 3. "Motor vehicle" means a vehicle which is self-propelled.

Subd. 4. "Appliance" means any electrical, mechanical, or thermal device or machine.

Subd. 5. "Dwelling place" means a room, apartment, or structure in which one or more persons live or any fixture thereof.

Subd. 6. "Shop" means an individual, corporation, partnership, or any other form of business organization which derives income, in whole or part, by engaging in the

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