
CHAPTER 244—S.F.No.732

An act relating to game and fish; modifying the definitions of rough fish and minnows; amending Minnesota Statutes 1978, Section 97.40, Subdivisions 11 and 12.

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

Section 1. Minnesota Statutes 1978, Section 97.40, Subdivision 11, is amended to read:

Subd. 11. "Rough fish" includes carp, buffalofish, ~~perch~~, suckers, redhorse, sheepshead, dogfish, eelpout, tullibees, garfish, goldeyes, and bullheads.

Sec. 2. Minnesota Statutes 1978, Section 97.40, Subdivision 12, is amended to read:

Subd. 12. "Minnows" includes all members of the minnow family (Cyprinidae), except carp and goldfish; mudminnows; all members of the sucker family (Catostomidae) not over 12 inches in length; ~~yellow perch~~, bullheads, tullibees, herring, whitefish, goldeyes and mooneyes not over seven inches in length. For purposes of any law regulating the taking, sale or transportation thereof, a leech shall be considered a minnow; except that no license shall be required of any resident individual under the age of 18 years engaging in the business of taking, transporting or selling leeches at retail.

Approved May 29, 1979.

CHAPTER 245—S.F.No.765

An act relating to the state civil service; including veterans in the protected group for the purpose of the statewide affirmative action program; amending Minnesota Statutes 1978, Section 43.15, Subdivision 1.

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

Section 1. Minnesota Statutes 1978, Section 43.15, Subdivision 1, is amended to read:

43.15 AFFIRMATIVE ACTION; DISCRIMINATION FORBIDDEN. Subdivision 1. **STATEWIDE AFFIRMATIVE ACTION PROGRAM.** In order to assure that positions in the state civil service are equally accessible to all qualified persons, and in order to eliminate the underutilization of qualified members of protected groups, the commissioner of personnel shall adopt and periodically revise as necessary a statewide affirmative action program covering all agencies in the executive branch. The commissioner shall designate a state director of equal employment opportunity to serve in the unclassified service and to whom may be delegated the preparation, revision and implementation of the program.

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

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.

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