

Sec. 11. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved May 30, 1979.

CHAPTER 283—H.F.No.913

An act relating to small businesses; increasing state procurement from small businesses; amending Minnesota Statutes 1978, Section 16.083, Subdivisions 1 and 4.

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

Section 1. Minnesota Statutes 1978, Section 16.083, Subdivision 1, is amended to read:

16.083 **PROCUREMENT FROM SMALL BUSINESSES.** Subdivision 1. **SMALL BUSINESS SET-ASIDES.** The commissioner of administration shall for each fiscal year designate and set aside for awarding to small businesses approximately ~~ten~~ 20 percent of the value of anticipated total state procurement of goods and services including construction. The commissioner shall divide the procurements so designated into contract award units of economically feasible production runs in order to facilitate offers or bids from small businesses. In making his annual designation of set-aside procurements the commissioner shall attempt to vary the included procurements so that a variety of goods and services produced by different small businesses shall be set aside each year. The failure of the commissioner to set aside particular procurements shall not be deemed to prohibit or discourage small businesses from seeking the procurement award through the normal solicitation and bidding processes.

Sec. 2. Minnesota Statutes 1978, Section 16.083, Subdivision 4, is amended to read:

Subd. 4. **PREFERENCE TO SMALL BUSINESSES.** At least ~~ten~~ 15 percent of the value of the procurements designated for set-aside awards shall be awarded, if possible, to businesses owned and operated by socially or economically disadvantaged persons. In the event small businesses owned and operated by socially or economically disadvantaged persons are unable to perform at least ~~ten~~ 15 percent of the set-aside awards, ~~then~~ the commissioner shall award the balance of the set-aside contracts to other small businesses.

Sec. 3. **REPORT.** The commissioner of administration shall submit to the governor and the legislature on or before January 15, 1980, a report on implementation of this act.

Sec. 4. Sections 1 and 2 of this act are effective October 1, 1979. Section 3 of this act is effective July 1, 1979.

Approved May 30, 1979.

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