

Sec. 3. Minnesota Statutes 1980, Section 357.09, is amended by adding a subdivision to read:

Subd. 8. Counties with a population in excess of 80,000 according to the latest federal decennial census or the population estimates of the demographer pursuant to section 4.12 are not subject to the provisions of this section, but the county board in exempt counties shall set the sheriff's fees with the advice and consultation of the sheriff.

Sec. 4. **REPEALER.**

Laws 1978, Chapter 743, Section 12 is repealed.

Approved May 29, 1981

CHAPTER 326 — S.F.No. 964

An act relating to human rights; requiring certain state contractors to have affirmative action plans approved by the commissioner of human rights; amending Minnesota Statutes 1980, Section 363.073; proposing new law coded in Minnesota Statutes, Chapter 363.

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

Section 1. Minnesota Statutes 1980, Section 363.073, is amended to read:

363.073 CERTIFICATES OF COMPLIANCE FOR PUBLIC CONTRACTS.

Subdivision 1. **SCOPE OF APPLICATION.** ~~The commissioner may promulgate rules and regulations, in accordance with chapter 15, for the issuance of certificates of compliance to bidders on public contracts, and shall issue such certificates in accordance with such rules and regulations. No department or agency of the state shall accept any bid or proposal for a contract or award execute any contract to any firm for goods or services in excess of \$50,000 or person with any business having more than 20 full time employees in Minnesota at any time during the previous 12 months, unless such the firm or person business has received a certificate of compliance or has pending an application therefor an affirmative action plan for the employment of minority persons, women, and the disabled that has been approved by the commissioner of human rights. Receipt of a certificate of compliance issued by the commissioner shall signify that a firm or business has an affirmative action plan that has been approved by the commissioner. A certificate shall be valid for a period of two years.~~

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. **REVOCAION OF CERTIFICATE.** Certificates of compliance may be suspended or revoked, or a pending application for a certificate may be denied, by a panel of examiner, in an order based on a finding that the holder or applicant has committed an unfair discriminatory practice in respect of a public contract; provided, however, that:

(1) any contractor certified to be in compliance with regulations of the federal government in respect of discriminatory practices shall also be certified by the state; and by the commissioner if a holder of a certificate has not made a good faith effort to implement an affirmative action plan that has been approved by the commissioner. If a contractor does not effectively implement an affirmative action plan approved by the commissioner pursuant to subdivision 1, or fails to make a good faith effort to do so, the commissioner may refuse to approve subsequent plans submitted by that firm or business.

(2) Subd. 3. **REVOCAION OF CONTRACT.** A contract awarded by a department or agency of the state shall not may be terminated or abridged by the department or agency because of suspension, or revocation or denial of a certificate based upon an unfair discriminatory practice for which the commissioner's complaint was issued after the date of the contract award; and a contractor's failure to implement or make a good faith effort to implement an affirmative action plan approved by the commissioner under this section.

(3) Subd. 4. **TECHNICAL ASSISTANCE.** In the case of a respondent contractor whose certificate of compliance has been suspended, revoked, or denied, the commissioner shall issue a certificate of compliance in accordance with subdivision 4 within 90 days after he finds that the respondent has ceased engaging in any unfair discriminatory practice provide technical assistance that may enable the contractor to be recertified within 90 days after the contractor's certificate has been suspended.

Sec. 2. [363.074] RULES FOR CERTIFICATES OF COMPLIANCE.

The commissioner shall adopt rules to implement section 1 specifying the criteria used to review affirmative action plans and the standards used to review implementation of affirmative action plans. A firm or business certified to be in compliance with affirmative action requirements of a local human rights agency or the federal government shall be deemed to be in compliance with section 1 upon submission to the commissioner of an affirmative action plan approved by a local human rights agency or the federal government and amendments to the plan which are necessary to address the employment of disabled persons protected by section 363.03, subdivision 1.

Sec. 3. [363.075] TEMPORARY RULES.

The commissioner shall have authority to promulgate temporary rules pursuant to chapter 15 to carry out the purposes of section 1.

Changes or additions are indicated by underline, deletions by strikeout.

Sec. 4. **EFFECTIVE DATE.**

Sections 2 and 3 are effective the day following final enactment. Section 1 is effective on the day temporary rules adopted pursuant to section 3 are effective.

Approved May 29, 1981

CHAPTER 327 — S.F.No. 1005

An act relating to local housing programs; authorizing certain combined multi-family housing and health care facility developments; providing an exemption from the limits on aggregate amount of bonds that may be issued; amending Minnesota Statutes 1980, Section 462C.05, Subdivision 1, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1980, Section 462C.05, Subdivision 1, is amended to read:

Subdivision 1. A city may also plan, administer, and make or purchase a loan or loans to finance one or more multifamily housing developments within its boundaries, of the kind described in subdivision 2, 3, ~~or 4~~ or 7, and upon the conditions set forth in this section. A loan may be made or purchased for the acquisition and preparation of a site and the construction of a new development, or for the acquisition of an existing building and site and the rehabilitation thereof, provided that:

(a) The cost of rehabilitation of an existing building is estimated to equal at least \$5,000 per dwelling unit or 50 percent of the appraised value of the original building and site, whichever is less or if the rehabilitation is financed in part by proceeds from a program provided by the federal government pursuant to 24 C.F.R. Sections 882.401 to 882.519 or pursuant to section 312 of the Housing Act of 1964 (42 U.S.C. Section 1452b), the cost of rehabilitation of an existing building is estimated to equal at least \$2,000 per dwelling unit or 20 percent of the appraised value of the original building and site whichever is less;

(b) At least a substantial portion of such rehabilitation cost is estimated to be incurred for compliance with building codes or conservation of energy;

(c) Each development upon completion shall comply with all applicable code requirements;

(d) A loan or loans may be made or purchased for either the construction or the long term financing of a development, or both, including the

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