

Subd. 6. RESIDENCE REQUIRED. Veterans under this section shall have been a resident of the state of Minnesota at the time of induction into the armed forces and six months immediately preceding the induction.

**Sec. 2. [197.752] EDUCATIONAL ASSISTANCE-POW/MIA DEPENDENTS.**

Any dependent of a prisoner of war or a person missing in action, upon being duly accepted for enrollment in any Minnesota public post-secondary institution, shall be allowed to attend the institution to obtain a bachelors degree or certificate of completion, for so long as he is eligible, free of tuition or charge. A dependent who enrolls as an undergraduate in any private Minnesota post-secondary institution shall be entitled to payment by the state of tuition and fees at a rate not to exceed \$250 per year for so long as the dependent is eligible to attend the institution and is working toward a bachelors degree or certificate of completion.

"Prisoner of war" and "persons missing in action" for purposes of this section mean any person who was a resident of the state at the time the person entered service of the United States Armed Forces, or whose official residence is within the state, and who, while serving in the United States Armed Forces has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after August 1, 1958.

"Dependent" for purposes of this section means the spouse of a prisoner of war or person missing in action, or any child born before or during the period of time his parent served as a prisoner of war or was declared a person missing in action, or any child legally adopted or in the legal custody of the parent prior to and during the time the parent served as a prisoner of war or was declared to be a person missing in action. Once a person qualifies as a dependent under the terms and provisions of this section there shall be no situation such as the return of the spouse or parent or the reported death of the spouse or parent that will remove the dependent from provisions or benefits of this section.

**Sec. 3. REPEALER.**

Minnesota Statutes 1982, sections 197.09, 197.10, and 197.11 are repealed.

**Sec. 4. EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

Approved June 14, 1983

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**CHAPTER 336 — H.F.No. 916**

*An act relating to economic development; creating a preference for Minnesota residents in the awarding of public contracts; creating a preference for Minnesota labor and materials; proposing new law coded in Minnesota Statutes, chapter 16.*

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

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

**Section 1. [16.072] PREFERENCE FOR MINNESOTA CONTRACTORS, LABOR, AND MATERIALS.**

Subdivision 1. DEFINITIONS. For the purposes of this section, the following terms have the meanings given them:

(a) "Municipality" has the meaning assigned to it in section 471.345, subdivision 1;

(b) "Public agency" includes all state agencies, the University of Minnesota, the state university board, and the state board for community colleges;

(c) "Resident" means:

(1) any individual who has been a resident of Minnesota for one year or more immediately prior to bidding on or performing work under the contract;

(2) any partnership or association whose members have been residents of Minnesota for one year or more immediately prior to bidding on or performing work under the contract; and

(3) a corporation, incorporated in Minnesota, which has been in existence for one year or more immediately prior to bidding on or performing work under the contract, or which has its principal place of business in Minnesota; and

(d) "State agency" means an agency as defined in section 14.02, subdivision 2.

Subd. 2. RESIDENT CONTRACTORS PREFERRED. Notwithstanding any other law to the contrary, any contract awarded by a public agency for the engineering services, erection, construction, alteration, or repair of any public building or structure, or for any public work or improvement for which competitive bidding is not required by law, must be awarded to a Minnesota resident. If competitive bidding is required by law, the contract must be awarded to the resident making the lowest responsible bid if the resident's bid is not more than ten percent higher than the lowest responsible nonresident bid. A successful resident bidder may not subcontract more than 20 percent of the work covered by the contract to nonresident subcontractors.

Subd. 3. MINNESOTA LABOR PREFERRED. All contracts subject to subdivision 2 must require that, wherever possible, resident laborers, workers, and mechanics be used to perform all work covered by the contract.

Subd. 4. PREFERENCE SUBJECT TO FEDERAL LAW. The provisions of this section are subject to applicable laws of the United States and regulations of federal agencies governing the use and payment of funds granted or advanced by the United States in connection with public works contracts.

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

**Sec. 2. [16.0721] PREFERENCE FOR MINNESOTA AND AMERICAN MADE MATERIALS.**

Subdivision 1. DEFINITIONS. As used in this section, the following terms have the meanings given them:

(a) "Public agency" has the meaning assigned to it in section 1, subdivision 1, clause (b) and includes any contractor acting pursuant to a contract with a public agency;

(b) "Materials" means any goods, supplies, equipment or any other tangible products or materials, including foods;

(c) "Manufactured" means mined, grown, produced, manufactured, fabricated or assembled;

(d) "Manufactured in Minnesota" means manufactured in whole or in substantial part within Minnesota, or that the majority of its components were manufactured in whole or in substantial part in Minnesota, or manufactured in the U.S. by an individual, corporation, partnership or association.

(e) "Manufactured in the United States" means manufactured in whole or in substantial part within the United States or that the majority of the component parts thereof were manufactured in whole or in substantial part in the United States;

(f) "Purchase" means acquire by purchase or lease.

Subd. 2. PURCHASE PREFERENCE. Notwithstanding the provisions of any other law to the contrary, no materials may be purchased by a public agency for use for governmental purposes which are not manufactured in Minnesota or the United States, except as may be provided in this section. When all other factors are substantially equal, preference must be given first to those products which are manufactured to the greatest extent in Minnesota, and second to those products which are manufactured to the greatest extent in the United States. To the extent possible, specifications must be written so as to permit the public agency to purchase materials manufactured in Minnesota.

Subd. 3. EXEMPTIONS. Subdivision 2 does not apply if the person having contracting authority in respect to the purchase determines that (1) the materials are not manufactured in Minnesota or the United States in sufficient or reasonably available quantities, (2) the price or bid of the materials exceeds by more than ten percent the price or bid of available and comparable materials manufactured outside of Minnesota or the United States, (3) the quality of the materials is substantially less than the quality of comparably priced available materials manufactured outside of Minnesota or the United States, or (4) the purchase of the materials manufactured in Minnesota or the United States is otherwise not in the public interest. Subdivision 2 also does not apply if the

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materials are purchased with a view to commercial resale or with a view to use in the production of goods for commercial sale.

Subd. 4. OTHER LAW SUPERSEDED. The provisions of this section supersede Minnesota Statutes, section 16.073.

**Sec. 3. REPEALER.**

Sections 1 and 2 are repealed June 30, 1985.

Approved June 14, 1983

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**CHAPTER 337 — H.F.No. 995**

*An act relating to intoxicating liquor and certain entertainers' contracts; authorizing Clearwater county to issue an off-sale license in Itasca Township; regulating contracts between the state agricultural society and entertainers performing at the state fair; authorizing Hennepin county to issue one-day on-sale liquor licenses for events at the Government Center; authorizing St. Louis county to issue a liquor license; amending Minnesota Statutes 1982, section 37.19.*

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

**Section 1. CLEARWATER COUNTY OFF-SALE LICENSE.**

Notwithstanding any law to the contrary, the county board of Clearwater county may issue one additional off-sale liquor license with the approval of the commissioner of public safety. The fee for the license shall be fixed by the county board in an amount not to exceed \$500 per year. A license issued pursuant to this section shall be governed by the appropriate provisions of Minnesota Statutes, chapter 340, except as otherwise provided herein.

**Sec. 2. HENNEPIN COUNTY; SHORT-TERM LIQUOR LICENSE.**

Notwithstanding any law to the contrary, Hennepin county, by resolution of its county board, may issue, with or without fee, to a nonprofit organization or corporation, one-day on-sale licenses for the sale and serving of intoxicating liquor in the Hennepin county Government Center in connection with any convention, banquet, conference, meeting, or social event conducted by the nonprofit organization. The licensee may dispense intoxicating liquor only to persons attending the event. The licensee's authority shall expire upon termination of the event. All dispensing of intoxicating liquor shall be in accordance with the terms and conditions prescribed by resolution of the county board.

**Sec. 3. ST. LOUIS COUNTY OFF-SALE LICENSE.**

Notwithstanding any law to the contrary, the county board of St. Louis county may issue an off-sale liquor license to an establishment located within Angora Township, with the approval of the commissioner of public safety. The fee for the license shall be fixed by the county board in an amount not to exceed

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