

CHAPTER 825—S. F. No. 1305

[Coded]

An act relating to certain contracts with the state for doing public work; providing security to the state in certain cases in lieu of a performance bond.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [574.261] **Contracts; public works; security in lieu of bond.** Subdivision 1. With the approval of the commissioner of administration and where the amount of the contract is not in excess of \$5,000 a person may make a contract with the state for the doing of any public work and in lieu of giving the bond required by Minnesota Statutes, Section 574.26, submit to the commissioner of administration for deposit with the state treasurer a certified check or a cashier's check in the same amount as would be required for a bond as security for protection of the state and all persons doing work or furnishing skills, tools, machinery, or materials under or for the purpose of executing such contract. Such deposit shall be security for the payment, as they become due, of all just claims for work, skills, tools, machinery, and materials; and for the performance and completion of the contract in accordance with its terms; and as security for all costs and charges that may accrue for the doing of the work specified and compliance with the laws relating thereto.

Subd. 2. A person entitled to the protection of such deposit and wishing to avail himself of its benefits shall, at the time of commencing any action against either the contractor or any subcontractor engaged in such work, notify in writing the commissioner of administration and the state treasurer of the commencement of such suit, giving the names of the parties and the amount and nature of his claim. No judgment shall be entered within 30 days after the giving of such notice and the state and any person entitled to the protection of such deposit may be admitted on its or his motion as a party to the action and the court shall determine the rights of all parties in the premises. In such suit in which the state treasurer is a party, the court may order the treasurer to make payment among the parties to the suit entitled thereto. If the amount of the deposit is insufficient to pay the claims in full the court may direct that they be paid on a pro rata basis. The deposit made with the treasurer pursuant to the terms of this section shall be held by him for 90 days after the contract with the state has been completed. If no suit is commenced within said period of 90 days the deposit shall be returned to the person making it. If suit is commenced within said 90 day period the deposit

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shall be disbursed by the state treasurer pursuant to the order of the court. Such moneys as are deposited with the state treasurer pursuant to the terms of this section are hereby annually appropriated to the state treasurer for the purpose of carrying out the terms and provisions hereof.

Approved May 26, 1965.

CHAPTER 826—S. F. No. 1358

An act relating to the salary and fees of judges of probate in certain counties; amending Minnesota Statutes 1961, Section 525.081, and repealing Laws 1961, Chapters 429, and 733, Extra Session Laws 1961, Chapter 71; Laws 1963, Chapters 222, 259, 488, 505, 522, 537, 539, 555, 574, 576, 602, 612, 613, 614, 654, 668, 737, and 742, and Laws inconsistent herewith.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 525.081, is amended to read:

525.081 Probate court; salary and fees of judges. Subdivision 1. **Amounts.** *In all counties of this state hereinafter named the yearly salaries to be paid to the judges of the probate court shall be as follows:*

- (a) *In the county of Cook, the sum of \$5,000.*
- (b) *In the counties of Kanabee and Lake of the Woods, the sum of \$5500.*
- (c) *In the counties of Big Stone, Clearwater, Hubbard, Kittson, Mahnomen, Pennington, Red Lake, Rock, Roseau, and Sherburne, the sum of \$6000.*
- (d) *In the counties of Grant, Stevens and Traverse, the sum of \$6300.*
- (e) *In the counties of Aitkin, Dodge, Pope, and Lake, the sum of \$6500.*
- (f) *In the counties of Koochiching, Lae Qui Parle, Lincoln, Sibley, Swift, Wadena, and Wilkin, the sum of \$7000.*
- (g) *In the counties of Cass, Houston, and Murray, and Pipestone, the sum of \$7250.*

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