

Subd. 2. CONTRACTOR'S BOND. A contract with the state for a forestry development project may require a performance bond at the discretion of the commissioner of natural resources. If the commissioner determines that a performance bond is required, it shall not be less than five percent of the contract price.

Subd. 3. BID DEPOSIT. For a contract made by the commissioner for a forestry development project, the commissioner may require a bid deposit in lieu of a performance bond for charges that may accrue because of doing the specified work and to enforce the terms of the contract, including reasonable attorney's fees if an action is successful. The commissioner may set the amount of the bid deposit, but it may not be less than five percent of the contract price.

**Sec. 4. [574.264] SECURITY IN LIEU OF BOND.**

Subdivision 1. FOREST DEVELOPMENT PROJECTS. For a state contract for a forestry development project if the amount of the contract is not more than \$20,000, the person required to file the bond or bid deposit may deposit in a local designated state depository or with the state treasurer a certified check, a cashier's check, a postal, bank, or express money order, assignable bonds or notes of the United States, or an assignment of a bank savings account or investment certificate or an irrevocable bank letter of credit, in the same amount that would be required for a bond or bid deposit. If securities listed in this section are deposited, their value shall not be less than the amount required for the bond or bid deposit and the person required to file the performance bond or bid deposit shall submit an agreement authorizing the commissioner to sell or otherwise take possession of the securities in the event of default under the contract. The security deposits are for the protection of the state 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 to it.

Subd. 2. CLAIMS AGAINST BID DEPOSITS. The bid deposit is subject to claims as provided for other deposits in section 574.261, subdivision 2.

**Sec. 5. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Approved May 10, 1985

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**CHAPTER 113 — H.F.No. 1193**

*An act relating to corrections; requiring the commissioner of corrections to develop a policy to provide counseling services to American Indian inmates; updating the recordkeeping systems of jails and lockups; amending Minnesota Statutes 1984, sections 641.05; and 642.07; proposing coding for new law in Minnesota Statutes, chapter 241.*

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

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

Section 1. [241.80] **AMERICAN INDIAN COUNSELING PROGRAM.**

Subdivision 1. AUTHORITY. The commissioner of corrections shall develop a policy to provide the counseling services listed in subdivision 2 to American Indian inmates of all juvenile and adult state correctional facilities and community-based correctional programs. The commissioner may, within the limits of available money, contract with appropriate American Indian private, nonprofit organizations to provide these counseling services.

Subd. 2. COUNSELING SERVICES. The policy shall include, but need not be limited to, providing, within the limits of available money, spiritual and cultural counseling services having the following purposes:

(1) the teaching of good work habits and the development of motivation through work;

(2) the development of cultural pride to improve American Indian self-image;

(3) the development of an understanding of and an adjustment to the cultural differences between American Indians and other ethnic groups;

(4) the development of attitudes of mutual trust, respect, and understanding among American Indian family members;

(5) the fostering of increased availability of medicine men and American Indian spiritual leaders to teach American Indian inmates about American Indian history, cultural sensitivity, and religion;

(6) the involvement of American Indian inmates in those aspects of the correctional system that will aid in their rehabilitation; and

(7) the provision of services to American Indian inmates that will facilitate their reentry into the community.

Sec. 2. Minnesota Statutes 1984, section 641.05, is amended to read:

641.05 **REGISTER RECORD OF PRISONERS INMATES; RETURN TO COURT.**

Every sheriff shall ~~keep in a book furnished by the county a register,~~ at the expense of the county, maintain a permanent record of all prisoners persons committed to any jail under his charge. It shall contain the name of every person committed, by what authority, his residence, date of commitment, and, if for a criminal offense, a description of the person, when and by what authority liberated, and, in case of escape, the time and manner thereof. At the opening of each term of district court he shall make a certified transcript therefrom to such

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court, showing all cases therein not previously disposed of. Every sheriff who neglects or refuses to so report shall be guilty of a gross misdemeanor.

Sec. 3. Minnesota Statutes 1984, section 642.07, is amended to read:

**642.07 CHIEF OF POLICE, MARSHAL; DUTIES.**

The chief of police or statutory city marshal, as the case may be, shall cause every lockup under the chief's or marshal's care, and the bedding therein, to be kept clean, wholesome, and free from vermin. The lockup shall be kept in good repair and maintained so as to protect the health, comfort, safety and well being of ~~prisoners~~ inmates and staff. Each chief of police or marshal shall keep ~~in a book furnished by the municipality a complete register a permanent record of~~ all ~~prisoners~~ persons committed to the lockup, and all persons admitted as lodgers therein, in the form prescribed by the commissioner of corrections. Any peace officer placing a ~~prisoner~~ person in the lockup shall report immediately to the officer's superior concerning the fact of the placement.

Approved May 10, 1985

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**CHAPTER 114 — H.F.No. 1216**

*An act relating to agriculture; clarifying the meaning of lender in the Minnesota emergency farm operating loans act; changing certain eligibility criteria; providing for earlier payments; amending Laws 1985, chapter 4, sections 3, subdivision 8; and 6.*

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

Section 1. Laws 1985, chapter 4, section 3, subdivision 8, is amended to read:

Subd. 8. **LENDER.** "Lender" means a bank, savings and loan association, or credit union chartered by the state or federal government and a farm credit system lender. "Lender" also means the Federal Deposit Insurance Corporation.

Sec. 2. Laws 1985, chapter 4, section 6, is amended to read:

Sec. 6. **INTEREST PAYMENT PROGRAM ON NEW FARM OPERATING LOANS.**

Subdivision 1. **APPLICATION; FARMER CRITERIA.** A farmer may apply to a lender for a farm operating loan on which the state will pay part of the interest. To be eligible for the state payment, the farmer must have a debt to asset ratio greater than 50 percent and ~~must not have a positive cash flow at the commissioner's interest index rate.~~

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