

**Sec. 4. EFFECTIVE DATE.**

Section 2 is effective the day following final enactment for violations committed on and after that date.

Presented to the governor March 30, 1990

Signed by the governor April 3, 1990, 8:39 p.m.

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**CHAPTER 389—H.F.No. 2156**

*An act relating to counties; regulating performance bonds; amending Minnesota Statutes 1988, section 375.21, subdivision 1.*

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

Section 1. Minnesota Statutes 1988, section 375.21, subdivision 1, is amended to read:

Subdivision 1. When required by the dollar limitations of section 471.345, a contract for work or labor, or to purchase furniture, fixtures, or other property, or to construct or repair roads, bridges, or buildings shall be made by a county board only after advertising for bids or proposals in a qualified legal newspaper of the county. For the purchase of property or for work and labor, two weeks published notice that proposals will be received, stating the time and place, shall be given. For the construction or repair of roads, bridges, or buildings, three weeks published notice shall be given. The notice shall state the time and place of awarding the contract and contain a brief description of the work. Every contract shall be awarded to the lowest responsible bidder and duly executed in writing. The person to whom ~~it~~ a contract is awarded for work or labor or for the construction or repair of roads, bridges, or buildings shall give a sufficient bond to the board for its faithful performance. If no satisfactory bid is received, the board may readvertise.

An advertised standard requirement price contract for supplies or services established by competitive bids may contain an escalation clause and may provide for a negotiated price increase or decrease. The escalation or negotiated change shall be based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs.

Every contract made without compliance with this section is void.

In case of an emergency arising from the destruction or impassability of roads or bridges by floods, rain or snow, or other casualty, or from the breaking or damaging of any property in the county, if the public health, safety, or welfare would suffer by delay, contracts for purchase or repairs may be made without

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advertising for bids, but in that case the action of the board shall be recorded in its official proceedings.

Presented to the governor March 30, 1990

Signed by the governor April 3, 1990, 8:40 p.m.

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**CHAPTER 390—H.F.No. 2481**

**VETOED**

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**CHAPTER 391—S.F.No. 60**

*An act relating to water; recodifying, clarifying, and relocating provisions relating to water law; amending Minnesota Statutes 1988, sections 9.071; 16B.62, subdivision 1; 18.191; 40A.13, subdivision 1; 41.65, subdivision 3; 84.083, by adding subdivisions; 84.91, subdivision 4; 84.911, subdivisions 5 and 6; 85.33, subdivision 3; 86A.05, subdivision 10; 88.43, subdivision 2; 93.335, subdivision 1; 94.343, subdivision 4; 97A.015, subdivision 41; 97A.071, subdivision 4; 97A.101, subdivision 2; 97A.211, subdivisions 1 and 2; 116D.04, subdivision 1a; 116J.70, subdivision 2a; 144.95, subdivision 4; 161.28, subdivision 1; 163.17; 272.02, subdivision 6; 273.19, subdivision 5; 295.44, subdivision 1; 355.11, subdivisions 4 and 5; 375.471; 383A.602, subdivisions 3 and 5; 383A.604, subdivision 1; 394.25, subdivision 2; 459.20; 465.20; 469.141, subdivision 4; 469.174, subdivision 19; 471.345, subdivision 3; 471.591, subdivision 1; 471.98, subdivision 2; 473.191, subdivision 2; 500.24, subdivision 3b; 609.68; and 645.44, by adding a subdivision; Minnesota Statutes 1989 Supplement, sections 18B.07, subdivision 6; 84.95, subdivision 2; 357.021, subdivision 2; and 462.357, subdivision 1; Minnesota Statutes Second 1989 Supplement, sections 272.02, subdivision 1; and 444.075, subdivision 1a; Laws 1987, chapter 404, section 22, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 83A; 97C; and 383B; proposing coding for new law as Minnesota Statutes, chapters 86B; 103A; 103B; 103C; 103D; 103E; 103F; and 103G; repealing Minnesota Statutes 1988, sections 84.031; 84.032; 84.092; 84.158; 115.091 to 115.103; 116C.40; 465.18; 473.875; 473.876; 473.877, as amended; 473.8771; 473.878; 473.8785; 473.879; 473.881; 473.882, as amended; and 473.883, as amended; chapters 40, as amended; 104; 105, as amended; 106A; 110, as amended; 110B, as amended; 112, as amended; 114; 114B; 361, as amended; and 378; Minnesota Statutes 1989 Supplement, section 84.0921; Laws 1967, chapter 907; Laws 1969, chapter 272; Laws 1971, chapter 355; Laws 1974, chapter 111; Laws 1977, chapter 322; and Laws 1982, chapter 627.*

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