

## CHAPTER 37—S.F.No. 605

*An act relating to the veterans homes board; requiring the board to apply for certain federal funding.*

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

## Section 1. APPLICATION FOR FEDERAL FUNDS.

No later than April 15, 1993, the veterans homes board of directors shall apply to the United States Department of Veterans Affairs for federal funding needed to complete the renovation or replacement of facilities on the Minneapolis campus.

## Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Presented to the governor April 21, 1993

Signed by the governor April 21, 1993, 3:46 p.m.

## CHAPTER 38—S.F.No. 198

*An act relating to local improvements; setting limits for certain contract requirements; amending Minnesota Statutes 1992, section 429.041, subdivisions 1 and 2.*

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

Section 1. Minnesota Statutes 1992, section 429.041, subdivision 1, is amended to read:

Subdivision 1. **PLANS AND SPECIFICATIONS, ADVERTISEMENT FOR BIDS.** When the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as authorized by subdivision 2, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement. The council shall cause plans and specifications of the improvement to be made, or if previously made, to be modified, if necessary, and to be approved and filed with the clerk, and if the estimated cost exceeds ~~\$5,000~~ \$25,000, shall advertise for bids for the improvement in the newspaper and such other papers and for such length of time as it may deem advisable. If the estimated cost exceeds \$100,000, publication shall be made no less than three weeks before the last day for submission of bids once in the newspaper and at least once in either a newspaper published in a city of the first class or a trade paper. To be eligible as such a trade paper, a publication shall have all the qualifications of a legal newspaper

New language is indicated by underline, deletions by ~~strikeout~~.

except that instead of the requirement that it shall contain general and local news, such trade paper shall contain building and construction news of interest to contractors in this state, among whom it shall have a general circulation. The advertisement shall specify the work to be done, shall state the time when the bids will be publicly opened for consideration by the council, which shall be not less than ten days after the first publication of the advertisement when the estimated cost is less than \$100,000 and not less than three weeks after such publication in other cases, and shall state that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk, for such percentage of the amount of the bid as the council may specify. In providing for the advertisement for bids the council may direct that the bids shall be opened publicly by two or more designated officers or agents of the municipality and tabulated in advance of the meeting at which they are to be considered by the council. Nothing herein shall prevent the council from advertising separately for various portions of the work involved in an improvement, or from itself, supplying by such means as may be otherwise authorized by law, all or any part of the materials, supplies, or equipment to be used in the improvement or from combining two or more improvements in a single set of plans and specifications or a single contract.

Sec. 2. Minnesota Statutes 1992, section 429.041, subdivision 2, is amended to read:

Subd. 2. **CONTRACTS; DAY LABOR.** In contracting for an improvement, the council shall require the execution of one or more written contracts and bonds, conditioned as required by law. The council shall award the contract to the lowest responsible bidder or it may reject all bids. If any bidder to whom a contract is awarded fails to enter promptly into a written contract and to furnish the required bond, the defaulting bidder shall forfeit to the municipality the amount of the defaulter's cash deposit, cashier's check, bid bond, or certified check, and the council may thereupon award the contract to the next lowest responsible bidder. When it appears to the council that the cost of the entire work projected will be less than ~~\$5,000~~ \$25,000, or whenever no bid is submitted after proper advertisement or the only bids submitted are higher than the engineer's estimate, the council may advertise for new bids or, without advertising for bids, directly purchase the materials for the work and do it by the employment of day labor or in any other manner the council considers proper. The council may have the work supervised by the city engineer or other qualified person but shall have the work supervised by a registered engineer if done by day labor and it appears to the council that the entire cost of all work and materials for the improvement will be more than ~~\$2,000~~ \$10,000. In case of improper construction or unreasonable delay in the prosecution of the work by the contractor, the council may order and cause the suspension of the work at any time and relet the contract, or order a reconstruction of any portion of the work improperly done, and where the cost of completion or reconstruction necessary will be less than ~~\$10,000~~ \$25,000, the council may do it by the employment of day labor.

New language is indicated by underline, deletions by ~~strikeout~~.

Presented to the governor April 21, 1993

Signed by the governor April 21, 1993, 3:42 p.m.

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CHAPTER 39—H.F.No. 111

*An act relating to highways; designating the B. E. Grottum memorial highway in Jackson county and the Wally Nelson highway; amending Minnesota Statutes 1992, section 161.14, by adding subdivisions.*

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

Section 1. Minnesota Statutes 1992, section 161.14, is amended by adding a subdivision to read:

Subd. 27. B. E. GROTTUM MEMORIAL HIGHWAY. That segment of Constitutional Route No. 4 from its intersection with marked county state-aid highway 34 in Jackson county to its intersection with North Highway in the city of Jackson, is designated the "B. E. Grottum Memorial Highway." The commissioner of transportation shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

Sec. 2. Minnesota Statutes 1992, section 161.14, is amended by adding a subdivision to read:

Subd. 28. WALLY NELSON HIGHWAY. Legislative route No. 330, as described in section 161.115, is named and designated "Wally Nelson Highway." The commissioner shall adopt a suitable marking design to mark this highway and shall erect appropriate signs.

Presented to the governor April 21, 1993

Signed by the governor April 21, 1993, 3:52 p.m.

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CHAPTER 40—H.F.No. 552

*An act relating to real estate; modifying provisions for voluntary foreclosure of mortgages; modifying criminal liability for defeating security on realty; amending Minnesota Statutes 1992, sections 580.032, subdivision 1, as amended; 580.23, subdivision 1; 582.32, subdivisions 1, 2, 3, 5, 6, 9, and by adding a subdivision; and 609.615; repealing Minnesota Statutes 1992, section 582.32, subdivisions 4, 7, and 8.*

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

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