

Section 1. Minnesota Statutes 1953, Section 412.311, is amended to read:

412.311. **Contracts.** Except as provided in sections 471.87 to 471.89, no member of a village council shall be directly or indirectly interested in any contract made by the council. Every contract for the purchase of merchandise, materials or equipment or for any kind of construction work undertaken by the village which requires an expenditure of \$1,000 or more, except a contract for a local improvement made under section 429.041 or any other law having an inconsistent provision relating to contracts for local improvements, shall be let to the lowest responsible bidder, after notice has been published once in the official newspaper at least ten days in advance of the last day for the submission of bids.

Approved April 13, 1957.

CHAPTER 430—S. F. No. 881

An act relating to contracts for local improvements in cities of the second, third, and fourth class, villages, boroughs, and certain towns; amending Minnesota Statutes 1953, Section 429.031, Subdivision 1, Laws 1955, Chapter 811, Section 1, and Section 429.041, Subdivisions 1 and 5.

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

Section 1. Minnesota Statutes 1953, Section 429.031, Subdivision 1, as amended by Laws 1955, Chapter 811, Section 1, is amended to read:

429.031. **Preliminary plans, hearings.** Subdivision 1. **Preparation of plans, notice of hearing.** Before the municipality awards a contract for an improvement or orders it made by day labor, or before the municipality shall have the power to assess any portion of the cost of an improvement to be made under a cooperative agreement with the state or another political subdivision for sharing the cost of making such improvement, the council shall hold a public hearing on the proposed improvement following two publications in the newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost, and the area proposed to be assessed. The two publications shall be a week apart and the hearing shall be at least three days after the last publication. Prior to the adoption of the resolution providing for the hearing, the council shall secure from the city or village engineer or some competent person

of its selection a report advising it in a preliminary way as to whether the proposed improvement is feasible and as to whether it should best be made as proposed or in connection with some other improvement and the estimated cost of the improvement as recommended. The council may also take such other steps prior to the hearing, including, among other things, the preparation of plans and specifications and the advertisement for bids thereon, as will in its judgment provide helpful information in determining the desirability and feasibility of the improvement. The hearing may be adjourned from time to time and a resolution ordering the improvement may be adopted at any time within six months after the date of the hearing by a vote of a majority of all members of the council when the improvement has been petitioned for by the owners of not less than 35 percent in frontage of the real property abutting on the streets named in the petition as the location of the improvement. When there has been no such petition, the resolution may be adopted only by vote of four-fifths of all members of the council. The resolution ordering the improvement may reduce, but not increase the extent of the improvement as stated in the notice of hearing.

Sec. 2. Minnesota Statutes 1953, Section 429.041, Subdivision 1, is amended to read:

429.041. Council procedure. Subdivision 1. **Plans and specifications; advertisement for bids.** When the council determines to make any improvement, it 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, 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 once in the newspaper and at least once in a newspaper or trade paper published in a city of the first class no less than three weeks before the last day for submission of bids. To be eligible as such a trade paper, a publication shall have all the qualifications of a legal newspaper 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. 3. Minnesota Statutes 1953, Section 429.041, Subdivision 5, is amended to read:

Subd. 5. **Cooperation with state or local government.** When an improvement is made under a cooperative agreement with the state or another political subdivision by the terms of which the state or other subdivision is to *construct or contract to construct the improvement*, it shall not be necessary to comply with subdivisions 1 and 2.

Approved April 13, 1957.

CHAPTER 431—S. F. No. 993

[Not Coded]

An act relating to salary of county treasurer, in certain counties.

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

Section 1. **Counties, salary of treasurer.** In any county having not less than 25,000 and not more than 28,000 inhabitants according to the 1950 federal census, an assessed valuation of not less than \$15,000,000 and not more than \$20,000,000 exclusive of money and credits and containing not less than 19 and not more than 30 full and fractional townships, the county board shall fix the salary of the county treasurer at not less than \$5,000 and not more than \$6,500 per annum to be paid in monthly installments, and all fees collected by his office shall be retained by him as additional compensation.