

ted land by a registered surveyor. The mounted drawing shall be exactly 17 inches by 14 inches and not less than 2½ inches of the 14 inches shall be blank for binding purposes, and such survey shall be filed in triplicate with the registrar of titles upon the payment of a fee of \$10. *Before filing, however, any such survey shall be approved in the manner required for the approval of subdivision plats, which approval shall be endorsed thereon or attached thereto.*

The registrar shall furnish to any person a copy of said registered land survey, duly certified by him, for a fee of \$5, which shall be admissible in evidence.

Sec. 2. Minnesota Statutes 1957, Section 508.47, Subdivision 5, is amended to read:

Subd. 5. **Filing registered land survey.** The registered land survey shall be filed in the office of the registrar of titles, who shall number each registered land survey, the numbers to run consecutively beginning with the number "1". One copy of each registered land survey shall be retained by the registrar of titles as a master copy, one copy filed in a registered land survey register in his office and made available to the public, and one copy delivered to the county auditor which he may thereafter refer to in connection with tax descriptions when he finds it convenient. Thereafter the tracts in each registered land survey shall be known as Tract ___, registered land survey No. ___, files of registrar of titles, county of ___, and all conveyances shall describe said property accordingly; *but the registrar shall not accept for filing and registration any conveyance of unplatte registered land if the land is described in the conveyance according to a registered land survey which has not been approved as provided in subdivision 4 unless the approval of the body authorized to approve subdivision plats is endorsed thereon or attached thereto.*

Approved April 20, 1961.

CHAPTER 627—H. F. No. 1221

[Not Coded]

An act authorizing establishment of a purchasing agent in Anoka county to regulate the purchase of supplies, materials, equipment and contractual services.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

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

Section 1. **Office of purchasing agent established in Anoka county.** The county board in Anoka county may establish the office of purchasing agent and, in accordance with any civil service regulations which may be in effect in such county, shall appoint a qualified person to fill such office. Prior to his appointment the purchasing agent shall have had at least two years' experience in an executive capacity in the purchasing office of a private or public corporation of representative size. He shall give bond in such amount as shall be prescribed by the county board, which shall also fix his annual salary at not less than \$4200 per year. He shall hold office until his successor is appointed or until his resignation or his removal in the manner provided by civil service regulations which may be in effect in such county. The county purchasing agent shall have power, in accordance with such civil service regulations as may be in effect in such county, to appoint and to remove his assistants, to prescribe their duties, and to fix their salaries within the limits of the appropriation and schedule therefor.

Sec. 2. **Duties and authority of purchasing agent.** The county purchasing agent of Anoka county shall have authority, and it shall be his duty:

(a) To purchase or contract for all supplies, materials, equipment, and contractual services required by any department, board, commission, or agency of the county government except the county tuberculosis sanitarium, subject to the provisions set forth in this act;

(b) To enforce standard specifications established in accordance with section 10 of this act and which shall apply to all supplies, materials, and equipment purchased for the use of the county government;

(c) To negotiate leases for all grounds, buildings, office, or other space required by all county departments, boards, commissions, or agencies;

(d) To have charge of all central storerooms now operated by, or hereafter established by the county government or any department, board, commission, or agency thereof;

(e) To transfer to or between county departments, boards, commissions, and agencies, or to sell supplies, mate-

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rials, and equipment which are surplus, obsolete, or unused; and

(f) To establish and operate a central duplicating and mailing room for the county departments, boards, commissions, and agencies at the county seat.

Sec. 3. Definitions. The terms "supplies," "materials," and "equipment" as used in this act shall be construed to mean any and all articles or things which shall be furnished to or used by any department, institution, office, board, commission, or other agency of the county government including any and all printing, binding, and publication of stationery, forms, laws, journals, and reports. The term "contractual services" shall be construed to mean any and all telephone, gas, water, electric light and power service; towel and cleaning service, insurance; and the rental repair or maintenance of equipment, machinery, and other county-owned personal property. Except as otherwise provided in this act, any and all supplies, materials, equipment, or contractual services needed by one or more departments or agencies of the county government shall be directly purchased or contracted for by the county purchasing agent, in accordance with rules and regulations adopted pursuant to section 4 of this act.

Sec. 4. Agent to promulgate rules and regulations. The county purchasing agent of Anoka county, subject to the approval of the county board, shall adopt, promulgate, and from time to time amend, rules and regulations for the following purposes:

(a) Authorizing in writing any department, board, commission, or agency of the county government to purchase directly, without the intervention of the county purchasing agent, certain specified supplies, materials, equipment, or contractual services, and describing the manner in which such purchases shall be made;

(b) Authorizing in writing any department, board, commission, or agency of the county government to purchase any supplies, materials, equipment, or contractual services in the open market for immediate delivery in emergencies, defining such emergencies, and describing the manner in which such purchases shall be made and afterwards reported to the county purchasing agent;

(c) Prescribing the manner in which supplies, mate-

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rials, and equipment shall be purchased, delivered, stored, and distributed;

(d) Prescribing the dates for submitting requisitions and estimates, the future period which they are to cover, the form in which they shall be submitted, the manner of their authentication, and their revision by the county purchasing agent;

(e) Prescribing the manner of inspecting all deliveries of supplies, materials, and equipment, and of making chemical and physical tests of samples submitted with bids and samples of deliveries to determine compliance with specifications;

(f) Requiring monthly reports by county departments, boards, commissions, and agencies of stocks of surplus, obsolete, or unusable supplies, materials, and equipment on hand and prescribing the form of such reports;

(g) Providing for the transfer to or between county departments, boards, commissions, and agencies of supplies, materials, and equipment which are surplus with one department, board, commission, or agency but which may be needed by another or others, and for the disposal by sale, after receipt of competitive bids, of supplies, materials, and equipment which are obsolete and unusable;

(h) Determining whether a deposit or bond is to be submitted with a bid on a purchase contract or sale, and if required, prescribing the amount and form thereof and providing that such surety shall be forfeited if the successful bidder refuses to enter into contract within ten days after the award;

(i) Prescribing the procedure and the form for securing from bidders and prospective bidders the data necessary to determine whether or not they are responsible;

(j) Prescribing the manner in which invoices for supplies, materials, equipment, and contractual services delivered to any and all departments, boards, commissions, and agencies of the county shall be submitted, examined, and approved; and

(k) Providing for such other matters as may be necessary to give effect to the foregoing rules and the provisions of this act.

Sec. 5. Contracts; limitations. All purchases of, and

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contracts for, supplies, materials, equipment, or contractual services, and all sales of personal property which has become obsolete and unusable, shall be based wherever possible on competitive bids. If the amount of the expenditure or sale is estimated to exceed \$500, sealed bids shall be solicited by public notice inserted at least once in a newspaper of general circulation and at least five calendar days before the final date of submitting bids. Such notice shall include a general description of the commodities or contractual services to be purchased, or personal property to be sold, and shall state where bid blanks and specifications may be obtained and the time and place for the opening of bids. The county purchasing agent shall also solicit sealed bids by sending requests by mail to prospective suppliers and by posting notice on a public bulletin board in his office.

All purchases or sales of less than \$500 in amount shall be made in the open market without newspaper notice, but shall wherever possible be based on at least three competitive bids.

Sales shall be made to the highest responsible bidder.

Bids on purchases shall in all cases be based on such standard specifications as may be adopted by the board of standardization in accordance with the provisions of section 10 of this act. All contracts or open market purchase orders made by the county purchasing agent or by any county department, board, commission, or agency shall be awarded to the lowest responsible bidder. All bids may be rejected and new bids solicited if the public interest shall be served thereby. If all bids received on a pending contract are for the same unit price or total amount, the county purchasing agent shall have authority to award the contract to one of the tie bidders by drawing lots in public, or to reject all bids and to purchase the required supplies, materials, equipment, or contractual services in the open market, provided the price paid in the open market shall not exceed the lowest responsible bid. It shall be the duty of the purchasing agent to discourage uniform bidding and to endeavor to obtain as full and open competition as possible on all purchases and sales. Each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated thereon, shall, after the award of the order or contract, be open to public inspection.

All contracts shall be approved as to form by the county

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attorney and a copy of each contract shall be filed with the county auditor of any such county.

Sec. 6. Not to issue orders without funds. Except in emergency, no valid order for delivery on a contract or open market purchase shall be issued until the county auditor of any such county shall have certified in conformity with law that the unencumbered balance in the appropriation or appropriations concerned in excess of all unpaid obligations, is sufficient to defray the amount of such order.

Sec. 7. May authorize purchase in open market. The county purchasing agent may authorize in writing any department, board, commission, or agency of any such county government to purchase in the open market, without filing requisition or estimate, any supplies, materials, or equipment for immediate delivery to meet actual emergencies arising from unforeseen causes, including delays by contractors, delays in transportation, and unanticipated volume of work. A full written account of the circumstances necessitating any such emergency purchase, together with a requisition and a record of the competitive bids upon which the emergency delivery was secured, shall be submitted at once to the county purchasing agency by the head of the using agency concerned. The records of such transaction shall be open to public inspection.

Sec. 8. Purchases and contracts void when. Whenever any department, board, commission or agency of any such county government shall purchase or contract for any supplies, materials, equipment or contractual services contrary to the provisions of this act or the rules and regulations made thereunder, such order or contract shall be void and of no effect. The head of such department, board, commission, or agency shall be personally liable for the costs of such order or contract, and, if already paid for out of county funds, the amount thereof may be recovered in the name of the county in an appropriate action instituted therefor.

Sec. 9. Purchasing agent and employees not to be interested in contracts. Neither the county purchasing agent, nor any member of his office staff, nor any member of the board of standardization created by this act, shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials, equipment, or contractual services furnished to or used by any department, board, commission, or agency of the county government. Nor shall such purchasing agent, member of his staff, or member of the

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board of standardization accept or receive, directly or indirectly, from any person, firm, or corporation to which any contract or purchase order may be awarded, by rebate, gifts, or otherwise, any money or anything of value whatsoever, or any promise, obligation, or contract for future reward or compensation. Any violation of this section shall be deemed a felony and shall be punishable by fine or imprisonment, or both.

Sec. 10. Board of standardization. There shall be in Anoka county a board of standardization which shall be composed of the chairman of the board of county commissioners, the county highway engineer, the chief administrative officer of each county activity which is placed by law under the control of any board or commission other than the county board, and the county purchasing agent who shall be chairman of such board. The members of this board shall serve without additional compensation.

It shall be the duty of the board of standardization to classify the requirements of the county government for supplies, materials, and equipment; to adopt as standards the smallest number of qualities, sizes, and varieties of such supplies, materials, and equipment consistent with the efficient operation of the county government; and to prepare, adopt and promulgate written specifications describing such standards.

In the preparation and revision of any such standard specification, the board of standardization shall seek the advice, assistance, and cooperation of the county departments, boards, commissions, and agencies concerned, to ascertain their requirements. The board of standardization shall have power to make use of the laboratory and engineering facilities of the county government and the technical staffs thereof in connection with its function of preparing and adopting standards and written specifications. Each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of the majority of the county departments, boards, commissions and agencies which use the same. All specifications must be definite and certain and permit of competition. After its adoption, each standard specification shall, until revised or rescinded, apply alike in terms and effect to every future purchase and contract for the commodity described in such specification.

Sec. 11. Shall make annual report. The county purchasing agent shall submit to, and at the time prescribed by

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the county board, an annual report on the work of his office, and may, from time to time, suggest changes in this act which he deems necessary.

Sec. 12. This act is effective when approved by a majority of the county board of Anoka county and upon compliance with Laws 1959, Chapter 368.

Approved April 20, 1961.

CHAPTER 628—H. F. No. 1226

[Not Coded]

An act relating to the Great Lakes diversion cases in the United States supreme court and appropriating money therefor.

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

Section 1. **Great Lakes diversion cases.** The attorney general is directed to consult with the Minnesota representatives on the Great Lakes Commission and work with the attorneys general of the states of Wisconsin, Ohio, Pennsylvania, Michigan and New York, with respect to the position to be taken by the state of Minnesota as a plaintiff and as a defendant in the following cases presently before the United States Supreme Court: States of Wisconsin, Minnesota, Ohio, Pennsylvania, Michigan and New York v State of Illinois and The Sanitary District of Chicago; and State of Illinois v States of Michigan, Ohio, Pennsylvania, Minnesota, New York and Wisconsin.

Sec. 2. There is hereby appropriated out of any monies not otherwise appropriated and available therefor the sum of \$82,316.95 to defray the expenses of the state of Minnesota in connection with the Great Lakes Diversion cases, including but not limited to the expenses of expert witnesses, salary of assistant attorney general assigned to the case, expense of Special Master, and court reporting, transcript and other expenses incurred by reason of the litigation.

Approved April 20, 1961.

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