

## CHAPTER 835—H.F.No.1376

*An act relating to the Minnesota state deed tax; authorizing the removal of the requirement for affixation of Minnesota state deed tax stamps to all instruments of conveyance on which the state of Minnesota or any governmental agency is the grantee; amending Minnesota Statutes 1969, Section 287.22.*

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

Section 1. Minnesota Statutes 1969, Section 287.22, is amended to read:

**287.22 TAXATION; DEED TAX; EXCEPTIONS.** The tax imposed by section 287.21 shall not apply to:

A. Any executory contract for the sale of land under which the vendee is entitled to or does take possession thereof, or any assignment or cancellation thereof.

B. Any mortgage or any assignment, extension, partial release, or satisfaction thereof.

C. Any will.

D. Any plat.

E. Any lease.

F. Any deed, instrument, or writing in which the United States or any agency or instrumentality thereof or the state of Minnesota or any agency, instrumentality, or governmental or political subdivision thereof is the grantor, assignor, transferor, or conveyor; and any deed, instrument or writing in which any of such unit of government is the grantee or assignee ~~where there is no consideration or where the consideration does not exceed \$1,000.~~

G. Deeds for cemetery lots.

Approved June 4, 1971.

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CHAPTER 836—H.F.No.1506

[Coded in Part]

*An act relating to state contracts; prescribing requirements for competitive bidding and the sale and purchase of materials, supplies,*

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*and services; amending Minnesota Statutes 1969, Sections 15.055; 16.07, Subdivisions 1, 2, 4, 8, 11, and by adding a subdivision; 16.08; repealing Minnesota Statutes 1969, Section 16.07, Subdivision 3.*

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

Section 1. Minnesota Statutes 1969, Section 16.07, Subdivision 1, is amended to read:

**16.07 STATE GOVERNMENT; COMPETITIVE BIDDING.**  
Subdivision 1. **APPLICATION.** Except as otherwise provided by sections 16.01, 16.02, and 16.03 to 16.23, all contracts for construction or repairs and all purchases of and all contracts for supplies, materials, purchase or rental of equipment, and utility services shall be based on competitive bids, and all sales of property shall be to the highest responsible bidder after advertising for bids, as herein provided; provided, that competitive bids shall not be required for utility services where no competition exists or where rates are fixed by law or ordinance. Standard requirement price contracts established for supplies or services to be purchased by the state shall be established by competitive bids. Such standard requirement price contracts may contain escalation clauses and may provide for a negotiated price increase or decrease based upon a demonstrable industrywide or regional increase or decrease in the vendor's costs. The term of such contracts shall not exceed two years with an option on the part of the state to renew for an additional two years.

Sec. 2. Minnesota Statutes 1969, Section 16.07, Subdivision 2, is amended to read:

**Subd. 2. PUBLICATION OF NOTICE; EXPENDITURES OVER \$5,000.** If the amount of the expenditure or sale is estimated to exceed ~~\$2,000~~ **\$5,000**, sealed bids shall be solicited by public notice inserted at least once in a newspaper or trade journal not less than seven days before the final date of submitting bids. The commissioner shall designate the newspaper or trade journal for such publication, and may designate different newspapers or journals according to the nature of the purchase or contract. The commissioner shall also solicit sealed bids by sending notices by mail to all prospective bidders known to him, and by posting notice on a public bulletin board in his office at least five days before the final date of submitting bids. All bids shall be sealed when received, shall be opened in public at the hour stated in the notice, and all original bids together with all documents pertaining to the award of a contract shall be retained and made a part of a permanent file or record, and shall be open to public inspection. This subdivision shall not apply to the purchase of fibre used in the manufacture of binder twine, ply twines, and rope at the state penal institutions, which shall be purchased in accordance with such regulations as the commissioner may prescribe, requiring competitive bids as far as practicable.

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

Sec. 3. Minnesota Statutes 1969, Section 16.07, Subdivision 4, is amended to read:

Subd. 4. **PURCHASES, SALES, OR RENTALS; \$5,000 OR LESS.** All purchases or sales the amount of which is estimated to be ~~less than \$1,000~~ **\$5,000 or less** may be made either upon competitive bids or in the open market, in the discretion of the commissioner; but, so far as practicable, shall be based on at least three competitive bids which shall be permanently recorded. All rentals of equipment and animals with operators or drivers furnished the amount of which is estimated to be less than \$1,000 in any 30-day period shall be made in accordance with rules prescribed by the commissioner.

Sec. 4. Minnesota Statutes 1969, Section 16.07, Subdivision 8, is amended to read:

Subd. 8. **BIDS NOT REQUIRED.** With the approval of the commissioner of administration and under such regulations as he may prescribe, merchandise for resale at state park refectories or facility operations may be purchased without advertising for bids. Farm and garden products may be sold at the prevailing market price on the date of the sale without advertising for bids. Competitive bidding shall not be necessary for purchases clearly and legitimately limited to a single source of supply in which instance the purchase price may be best established by direct negotiation.

Sec. 5. Minnesota Statutes 1969, Section 16.07, Subdivision 11, is amended to read:

Subd. 11. **NEGOTIATED CONTRACTS.** In lieu of any of the other requirements of section 16.07 the commissioner of administration may negotiate a contract for the doing of public work at a state owned institution or installation where the cost does not exceed ~~\$3,500~~ **\$5,000** and where the head of the affected state department or agency requests the commissioner so to do. The commissioner shall cause to be prepared such plans and specifications for the public work as he deems the protection of the public interest to require.

Sec. 6. Minnesota Statutes 1969, Section 16.07, is amended by adding a subdivision to read:

Subd. 13. **FEDERAL GENERAL SERVICES ADMINISTRATION PRICE SCHEDULES.** Notwithstanding anything in this section to the contrary, the commissioner may, instead of soliciting bids, contract for purchases with suppliers who have published schedules of prices effective for sales to the general services administration of the United States. Such contracts for purchases may be entered into, regardless of the amount of the purchase price, if the commissioner of administration deems such contracts to be advantageous, and the purchase price of any and all commodities

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purchased thereunder shall not exceed the price specified by the schedule.

Sec. 7. Minnesota Statutes 1969, Section 16.08, is amended to read:

**16.08 CONTRACTS AND PURCHASES, AWARD OF.** All contracts and purchases made by or under the supervision of the commissioner or any state department or agency for which competitive bids are required shall be awarded to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the call for bids. The commissioner shall have power to decide as to the lowest responsible bidder for all purchases. As to contracts other than for purchases, the head of the interested department or agency shall make the decision, subject to the approval of the commissioner. Any or all bids may be rejected. A bid containing an alteration or erasure of any price contained in the bid which is used in determining the lowest responsible bid shall be rejected unless the alteration or erasure is corrected as herein provided. ~~and a bid shall be rejected if it contains any alteration or erasure unless the alteration or erasure is corrected as herein provided.~~ An alteration or erasure may be crossed out and the correction thereof printed in ink or typewritten adjacent thereto and initialed in ink by the person signing the bid. ~~The person signing the bid shall also file a certificate with the bid explaining the correction of the alteration or erasure.~~ The commissioner may reject the bid of any bidder who has failed to perform a previous contract with the state. In the case of identical low bids from two or more bidders, the commissioner may, at his discretion, utilize negotiated procurement methods with the tied low bidders for that particular transaction, so long as the price paid does not exceed the low tied bid price. A record shall be kept of all bids, with names of bidders and amounts of bids, and with the successful bid indicated thereon. Such record shall be open to public inspection. In any case where competitive bids are required and where all bids are rejected, new bids shall be called for as in the first instance, unless otherwise expressly provided by law.

Sec. 8. Minnesota Statutes 1969, Section 15.055, is amended to read:

**15.055 PUBLIC EMPLOYEES NOT TO PURCHASE MERCHANDISE FROM STATE AGENCIES; EXCEPTIONS.** No department or agency of the state, or any political subdivision thereof, or member or officer, acting in such capacity, of any town or county board or council of any village or city, or any purchasing agent or purchasing agency of the state, or any political subdivision thereof, shall sell or procure for sale or have in its possession or under its control for sale to any employee of the state, or of any political subdivision thereof, any article, material, product, or merchandise of

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whatsoever nature, except used passenger motor vehicles and trucks owned by the state, and except an article, material, product, or merchandise the sale or distribution of which is, or may hereafter be, specifically authorized by law or ordinance. Used passenger motor vehicles and trucks owned by the state and not needed for public purposes may be sold to an employee of the state at public auction or by sealed bid, providing the employee is the highest responsible bidder. A state employee may buy only one such vehicle or truck in any 12 month period. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor. Each act prohibited by this section shall constitute a separate violation and offense thereunder.

Sec. 9. **REPEALER.** Minnesota Statutes 1969, Section 16.07, Subdivision 3, is repealed.

Approved June 4, 1971.

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## CHAPTER 837—H.F.No.1542

[Not Coded]

*An act relating to courts in Dakota county except the district and probate courts; creating a municipal court and a conciliation court of Dakota county.*

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

Section 1. **DAKOTA COUNTY MUNICIPAL AND CONCILIATION COURT; ESTABLISHMENT; JURISDICTION; POWERS; APPEALS.** Subdivision 1. **ESTABLISHMENT.** There is hereby created a municipal court of Dakota county with the jurisdiction and powers hereinafter stated.

Subd. 2. **COURT OF RECORD.** The court is a court of record with a clerk and a seal.

Subd. 3. **POWERS OF COURT.** Except as otherwise provided in this act, the court has all the powers of the district courts of this state. It may issue all civil and criminal process necessary or proper to enforce and effectuate its jurisdiction and determinations.

Subd. 4. **CIVIL JURISDICTION.** Excepting causes involving title to real estate, the court has jurisdiction to hear, try and determine civil actions at law in which the amount in controversy does not exceed the sum of \$6,000 exclusive of interest and costs.

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