
CHAPTER 43—H.F.No.557

[Coded]

An act relating to highways; requiring reimbursement of fire fighting and protection expenses in certain instances.

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

Section 1. [161.465] **STATE TRUNK HIGHWAYS; REIMBURSEMENT FOR FIRE SERVICES.** Ordinary expenses incurred by a municipal or volunteer fire department in extinguishing a fire or easing or eliminating the danger of fire or explosion within the right-of-way of any state trunk highway upon approval of a police officer or an officer or employee of the department of transportation or department of public safety shall, upon certification to the commissioner of transportation by the proper official of the municipality or fire department, be reimbursed to the municipality or fire department from funds in the trunk highway fund. The commissioner of transportation shall take whatever action practicable to secure reimbursement to the trunk highway fund of moneys expended pursuant to this section from the person, firm or corporation responsible for the fire or danger thereof.

Approved May 4, 1977.

CHAPTER 44—H.F.No.681

[Coded in Part]

An act relating to commerce; providing for state procurement from small business; providing a bonding mechanism for small business; amending Minnesota Statutes 1976, Sections 16.082, by adding a subdivision; and 16.083, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 16.082, is amended by adding a subdivision to read:

Subd. 6. **COMMERCE; SMALL BUSINESS PROCUREMENT; BONDS.** "Second party bond" means a bond which designates as principal, guarantor, or both, a person or persons in addition to the person to whom the contract is proposed for award.

Sec. 2. Minnesota Statutes 1976, Section 16.083, Subdivision 2, is amended to read:

Subd. 2. **NEGOTIATED PRICE OR BID CONTRACT.** The commissioner may elect to use either a negotiated price or bid contract procedure in the awarding of a procurement contract under the set-aside program established in sections 16.081 to 16.086.

Changes or additions indicated by underline deletions by ~~strikeout~~

The amount of an award shall not exceed by more than five percent the commissioner's estimated price for the goods or services, if they were to be purchased on the open market and not under this set-aside program. Surety bonds guaranteed by the federal small business administration and second party bonds shall be acceptable security for a construction award under this section.

Approved May 4, 1977.

CHAPTER 45—H.F.No.705

[Coded in Part]

An act relating to taxation; providing for revocation of motor carrier licenses for failure to file road tax reports; providing credit for tax paid on gasoline or fuel used in other states; amending Minnesota Statutes 1976, Section 296.17, Subdivisions 3, 11, and 12; and Chapter. 296, by adding a section; repealing Minnesota Statutes 1976, Section 296.18, Subdivision 1a.

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

Section 1. Minnesota Statutes 1976, Chapter 296, is amended by adding a section to read:

[296.115] TAXATION; GASOLINE; TAXATION AND TAX REPORTS; REVOCATION OF MOTOR CARRIER LICENSES. Notwithstanding the provisions of section 296.11, if a motor carrier fails to file three consecutive road tax reports, the commissioner, by certified mail sent to the address on the latest report, shall notify the motor carrier of the commissioner's intention to revoke the license and of the motor carrier's right to request a hearing pursuant to section 296.11. If no request for a hearing is received within 30 days of the notice, the license may be revoked by the commissioner.

Sec. 2. Minnesota Statutes 1976, Section 296.17, Subdivision 3, is amended to read:

Subd. 3. REFUNDS ON GASOLINE AND SPECIAL FUEL USED IN OTHER STATES. Every person regularly or habitually operating motor vehicles upon the public highways of any other state or states and using in said motor vehicles gasoline or special fuel purchased or obtained in this state; shall be allowed a credit or refund equal to the tax on said gasoline or special fuel actually paid to the state or states in which it is used, not to exceed; however, the tax imposed on said gasoline or special fuel by this state paid to this state on the gasoline or special fuel actually used in the other state or states. No credit or refund shall be allowed under this subdivision for taxes paid to any state which imposes a tax upon gasoline or special fuel purchased or obtained in this state and used on the highways of such other state, and which does not allow a similar credit or refund for the tax paid to this state on gasoline or special fuel purchased or acquired in such other state and used on the highways of this state. Every person claiming a credit or refund under this subdivision shall file, within 30 days after the tax to such other state, or states, is paid, a report in such form as may be prescribed by the commissioner, together with such proof of the payment of the tax, and of the fact that it was paid on gasoline or

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