

(c) ask the county attorney, at least 30 days prior to an election, whether circumstances require that the municipalities sharing the use of a counting center resolve their respective duties and financial responsibilities by execution of a joint powers agreement pursuant to section 471.59; ~~and~~

(d) coordinate, and if necessary, exercise the duties imposed by this section on the official in charge of elections in a municipality where an electronic voting system is used; and

(e) limit the number of ballots to be counted at a single counting center to no more than 100,000.

Sec. 12. **EFFECTIVE DATE.**

Section 10 is effective January 1, 1987, and sections 7 and 9 are effective January 1, 1988.

Approved March 19, 1986

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**CHAPTER 363—H.F.No. 2185**

*An act relating to state government; providing for the purchase, use, administration, or disposal of certain fees, services, and property within the jurisdiction of the commissioner of administration; amending Minnesota Statutes 1984, sections 16B.07, subdivisions 3 and 4; 16B.08, subdivision 4; 16B.09, subdivision 1; and Minnesota Statutes 1985 Supplement, sections 16B.29; 16B.42, subdivision 4; and 16B.48, subdivision 2.*

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

Section 1. Minnesota Statutes 1984, section 16B.07, subdivision 3, is amended to read:

Subd. 3. **PUBLICATION OF NOTICE; EXPENDITURES OVER ~~\$5,000~~ \$15,000.** If the amount of an expenditure or sale is estimated to exceed ~~\$5,000~~ \$15,000, sealed bids must 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 that 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 the commissioner, and by posting notice on a public bulletin board in the commissioner's office at least five days before the final date of submitting bids. All bids must be sealed when they are received and must be opened in public at the hour stated in the notice. All original bids and all documents pertaining to the award of a contract must be retained and made a part of a permanent file or record and remain open to public inspection.

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

Sec. 2. Minnesota Statutes 1984, section 16B.07, subdivision 4, is amended to read:

Subd. 4. **PURCHASES, SALES, OR RENTALS; ~~\$5,000~~ \$15,000 OR LESS.** All purchases or sales the amount of which is estimated to be ~~\$5,000~~ \$15,000 or less may be made either upon competitive bids or in the open market, in the discretion of the commissioner. So far as practicable, however, they must be based on at least three competitive bids which must be permanently recorded.

Sec. 3. Minnesota Statutes 1984, section 16B.08, subdivision 4, is amended to read:

Subd. 4. **NEGOTIATED CONTRACTS.** In lieu of any of the other requirements of this chapter, the commissioner may negotiate a contract for public work to be performed at a state owned institution or installation if the cost does not exceed ~~\$5,000~~ \$15,000 and if the head of the affected state agency requests the commissioner to do so. The commissioner shall have prepared whatever plans and specifications for the public work he deems necessary to protect the public interest. Contractor's bonds or security pursuant to chapter 574 are not required for contracts entered into pursuant to this subdivision.

Sec. 4. Minnesota Statutes 1984, section 16B.09, subdivision 1, is amended to read:

Subdivision 1. **LOWEST RESPONSIBLE BIDDER.** All state contracts and purchases made by or under the supervision of the commissioner or an agency for which competitive bids are required must 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 may decide which is the lowest responsible bidder for all purchases. As to contracts other than for purchases, the head of the interested agency shall make the decision, subject to the approval of the commissioner. Any ~~bid~~ or all bids may be rejected. In a case where competitive bids are required and where all bids are rejected, new bids, if solicited, must be called for as in the first instance, unless otherwise provided by law.

Sec. 5. Minnesota Statutes 1985 Supplement, section 16B.29, is amended to read:

#### 16B.29 STATE SURPLUS PROPERTY; DISPOSAL.

The commissioner may do any of the following to dispose of supplies, materials, and equipment which are surplus, obsolete, or unused: (1) transfer it to or between state agencies; (2) transfer it to local government units in Minnesota and other institutions and organizations in Minnesota authorized by federal law to accept surplus property and charge a fee to cover expenses incurred by the commissioner in making the property available to these units; or (3) sell it. The commissioner must make proper adjustments in the accounts and appropriations of the agencies concerned. When the commissioner sells the supplies,

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materials and equipment, the proceeds of the sale are appropriated to the agency for whose account the sale was made, to be used and expended by the agency to purchase similar needed supplies, materials and equipment at any time during the biennium in which the sale occurred.

Sec. 6. Minnesota Statutes 1985 Supplement, section 16B.42, subdivision 4, is amended to read:

Subd. 4. **FUNDING.** Appropriations and other funds made available to the council for staff, operational expenses, and grants must be administered through the department of administration. Revenues derived from royalties, reimbursements, or other fees from software programs, systems, or technical services arising out of activities funded by current or prior state appropriations must be credited to an account in the special revenue fund and are appropriated to the council for the purposes enumerated in subdivision 2. General fund appropriations for the council may also be credited by the commissioner of administration to the account in the special revenue fund. The unencumbered balance of an appropriation for grants in the first year of a biennium does not cancel but is available for the second year of the biennium.

Sec. 7. Minnesota Statutes 1985 Supplement, section 16B.48, subdivision 2, is amended to read:

Subd. 2. **PURPOSE OF FUNDS.** Money in the state treasury credited to the general services revolving fund and money which is deposited in the fund is appropriated annually to the commissioner for the following purposes:

- (1) to operate a central store and equipment service;
- (2) to operate a central duplication and printing service;
- (3) to purchase postage and related items and to refund postage deposits as necessary to operate the central mailing service;
- (4) to operate a documents service as prescribed by section 16B.51;
- (5) to provide advice and other services to political subdivisions for the management of their records, information, and telecommunication systems;
- (6) to provide services for the maintenance, operation, and upkeep of buildings and grounds managed by the commissioner of administration;
- ~~(6)~~ (7) to provide analytical, statistical, and organizational development services to state agencies;
- ~~(7)~~ (8) to provide capitol security services through the department of public safety; and
- (8) (9) to perform services for any other agency. Money shall be expended for this purpose only when directed by the governor. The agency receiving the

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services shall reimburse the fund for their cost, and the commissioner shall make the appropriate transfers when requested. The term "services" as used in this clause means compensation paid officers and employees of the state government; supplies, materials, equipment, and other articles and things used by or furnished to an agency; and utility services, and other services for the maintenance, operation, and upkeep of buildings and offices of the state government.

Approved March 19, 1986

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**CHAPTER 364—H.F.No. 2195**

*An act relating to the city of McIntosh; authorizing the city to issue bonds in excess of its net debt limitations.*

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

**Section 1. CITY OF MCINTOSH; BOND ISSUE.**

The city council of the city of McIntosh may issue and sell general obligation bonds in a principal amount not to exceed \$300,000 as authorized by the electors of the city at the election held on November 5, 1985, for the purposes specified in the question presented to the electors. The bonds issued pursuant to this act are not subject to the limit on net debt imposed under Minnesota Statutes, chapter 475. Any levy for the payment of debt service on bonds issued pursuant to this act is not subject to the levy limitation of Minnesota Statutes, section 275.11, or any other law.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective the day following final enactment pursuant to Minnesota Statutes, section 645.023, subdivision 1, clause (a).

Approved March 19, 1986

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**CHAPTER 365—H.F.No. 2216**

*An act relating to land surveying; providing for the surveying of lands by a county board; providing for the establishment of an office of county surveyor or the assignment of its duties; increasing the amount the Olmsted county board may appropriate annually for use as a contingent fund; providing a penalty; amending Minnesota Statutes 1984, sections 381.01; 381.02; 381.03; 381.04; 381.05; 381.06; 381.07; 381.08; 381.09; 381.10; 381.12; 381.13; 389.011; 389.02; 389.03; 389.04; 389.08; Minnesota Statutes 1985 Supplement, section 389.09, subdivision 1; Laws 1965, chapter 433, section 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 381; repealing Minnesota Statutes 1984, section 389.06.*

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