

**CHAPTER 140—S.F.No. 1301**

*An act relating to changing certain bid and performance and payment bond thresholds; amending Minnesota Statutes 2000, section 469.015, subdivisions 1, 2, 3, and 5.*

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

Section 1. Minnesota Statutes 2000, section 469.015, subdivision 1, is amended to read:

Subdivision 1. **BIDS; NOTICE.** All construction work, and work of demolition or clearing, and every purchase of equipment, supplies, or materials, necessary in carrying out the purposes of sections 469.001 to 469.047, that involve expenditure of ~~\$25,000~~ \$35,000 for authority whose area of operation is less than 2,500 population and \$50,000 for all other authorities or more shall be awarded by contract. Before receiving bids the authority shall publish, once a week for two consecutive weeks in an official newspaper of general circulation in the community a notice that bids will be received for that construction work, or that purchase of equipment, supplies, or materials. The notice shall state the nature of the work and the terms and conditions upon which the contract is to be let, naming a time and place where bids will be received, opened and read publicly, which time shall be not less than seven days after the date of the last publication. After the bids have been received, opened and read publicly and recorded, the authority shall award the contract to the lowest responsible bidder, provided that the authority reserves the right to reject any or all bids. Each contract shall be executed in writing, and the person to whom the contract is awarded shall give sufficient bond to the authority for its faithful performance. If no satisfactory bid is received, the authority may readvertise. The authority may establish reasonable qualifications to determine the fitness and responsibility of bidders and to require bidders to meet the qualifications before bids are accepted.

Sec. 2. Minnesota Statutes 2000, section 469.015, subdivision 2, is amended to read:

Subd. 2. **EXCEPTION; EMERGENCY.** If the authority by a vote of four-fifths of its members shall declare that an emergency exists requiring the immediate purchase of any equipment or material or supplies at a cost in excess of ~~\$25,000~~ \$50,000 but not exceeding \$50,000 \$75,000, or making of emergency repairs, it shall not be necessary to advertise for bids, but the material, equipment, or supplies may be purchased in the open market at the lowest price obtainable, or the emergency repairs may be contracted for or performed without securing formal competitive bids. An emergency, for purposes of this subdivision, shall be understood to be unforeseen circumstances or conditions which result in the placing in jeopardy of human life or property.

Sec. 3. Minnesota Statutes 2000, section 469.015, subdivision 3, is amended to read:

Subd. 3. **PERFORMANCE AND PAYMENT BONDS.** Performance and payment bonds shall be required from contractors for any works of construction as provided in and subject to all the provisions of sections 574.26 to 574.31 except for

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contracts entered into by an authority for an expenditure of less than ~~\$25,000~~ \$35,000 for an authority whose area of operation is less than 2,500 population and \$50,000 for all others.

Sec. 4. Minnesota Statutes 2000, section 469.015, subdivision 5, is amended to read:

Subd. 5. **SECURITY IN LIEU OF BOND.** The authority may accept a certified check or cashier's check in the same amount as required for a bond in lieu of a performance bond for contracts entered into by an authority for an expenditure of less than ~~\$25,000~~ \$50,000. The check must be held by the authority for 90 days after the contract has been completed. If no suit is brought within the 90 days, the authority must return the amount of the check to the person making it. If a suit is brought within the 90-day period, the authority must disburse the amount of the check pursuant to the order of the court.

Presented to the governor May 17, 2001

Signed by the governor May 21, 2001, 10:53 a.m.

#### CHAPTER 141—S.F.No. 2033

*An act relating to insurance; modifying minimum education requirements for insurance agents; amending Minnesota Statutes 2000, section 60K.19, subdivision 8.*

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

Section 1. Minnesota Statutes 2000, section 60K.19, subdivision 8, is amended to read:

Subd. 8. **MINIMUM EDUCATION REQUIREMENT.** Each person subject to this section shall complete a minimum of 30 credit hours of courses accredited by the commissioner during each 24-month licensing period. Any person whose initial licensing period extends more than six months shall complete 15 hours of courses accredited by the commissioner during the initial license period. Any person teaching or lecturing at an accredited course qualifies for ~~1-1/2~~ three times the number of credit hours that would be granted to a person completing the accredited course. No more than ~~15~~ one-half of the credit hours per licensing period required under this section may be credited to a person for courses attending any combination of courses either: (1) sponsored by, offered by, or affiliated with an insurance company or its agents; or (2) offered using new delivery technology, including computer, interactive technology, and the Internet. Courses sponsored by, offered by, or affiliated with an insurance company or agent may restrict its students to agents of the company or agency.

Presented to the governor May 17, 2001

Signed by the governor May 21, 2001, 10:43 a.m.

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