

the appropriate officials of any county of this state for the temporary detention of any person in custody pursuant to any process issued under the authority of the United States or the district courts of this state. The contract shall provide for reimbursement to the state of Minnesota for all costs and expenses involved. Money received under contracts shall be deposited in the state treasury to the credit of the facility in which the persons may be confined. This subdivision is effective to June 30, 1983.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved March 31, 1982

CHAPTER 3 — S.F.No. 4

An act relating to the operation of state government; authorizing individuals to bring suits against the state regarding contracts for state debt; clarifying provisions relating to the sale of certificates of indebtedness; amending Minnesota Statutes 1980, Section 3.751, Subdivision 1; and Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivisions 5, as amended, and 9.

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

Section 1. Minnesota Statutes 1980, Section 3.751, Subdivision 1, is amended to read:

Subdivision 1. When a controversy arises out of any contract for work, services, ~~or~~ the delivery of goods, or debt obligations of the state incurred pursuant to Article XI of the Minnesota Constitution entered into by any state agency through established procedure, in respect to which controversy a person to the contract would be entitled to redress against the state, in a court of appropriate jurisdiction, if the state were suable, and when no claim against the state has been made in a bill pending in the legislature for the same redress against it, the state hereby waives immunity from suit in connection with such controversy and confers jurisdiction on the district court to hear and determine any such controversy in the manner provided for the trial of causes in the district court. Only a party to the contract may bring action against the state.

Sec. 2. Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 5, as amended by Laws 1981, Third Special Session Chapter 2, Article VII, Section 4, is amended to read:

Subd. 5. **SALE.** Certificates of indebtedness may be sold by the commissioner of finance upon public advertisement for competitive bids, or:

(a) They may be sold to the state board of investment without advertisement for bids, upon terms at least as favorable as those on which, in the judgment

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

of the board, direct obligations of the United States government of comparable maturities can at the time be purchased from funds under its control, including the special or dedicated funds described in clause (c) of subdivision 2, other than pension funds;

(b) The commissioner may negotiate with a suitable bank or banks within or outside the state for a line of credit whereby, for an agreed compensation, certificates of indebtedness may be issued from time to time within an agreed period, at a fixed or variable interest rate and subject to redemption at par plus accrued interest at any time at the option of the commissioner; or

(c) The commissioner may negotiate with a firm or firms of underwriters for the purchase of certificates of indebtedness or to act as an agent in the placement of certificates of indebtedness, which may be sold to investors at a specified discount representing the interest included in the face amount payable at maturity, or at a stated interest rate on a stated principal amount, payable at ~~maturity~~ on one or more dates. For the further security of the certificates of indebtedness the commissioner may negotiate a credit agreement pursuant to paragraph (b), providing for the payment thereof with interest at to maturity, if necessary, by the issuance of new certificates of indebtedness to the bank or banks extending the credit.

Sec. 3. Minnesota Statutes 1981 Supplement, Section 16A.671, Subdivision 9, is amended to read:

Subd. 9. **BIENNIAL CASH DEFICIENCY.** If cash and cash equivalent amounts held in the general fund on the last day of any biennium date on which any certificates of indebtedness come due, in excess of the amount of warrants then outstanding, are not sufficient to pay all such certificates of indebtedness ~~then outstanding with and any~~ interest due thereon ~~to maturity~~, the deficiency may be paid by the issuance of refunding certificates of indebtedness maturing not later than December 1 in the ensuing calendar year. The commissioner, with the approval of the governor, may enter into a covenant on behalf of the state that such refunding certificates of indebtedness will be offered for sale in the event a deficiency is anticipated. If cash and cash equivalent amounts held in the general fund on December 1 immediately following the close of the biennium, in excess of warrants then outstanding, are not sufficient to pay all such refunding certificates of indebtedness and any other certificates of indebtedness outstanding at the end of the biennium and not refunded, with interest then accrued thereon, the state auditor shall levy upon all taxable property in the state a tax collectible in the ensuing calendar year sufficient to pay the same on or before December 1 in the ensuing year with interest to the date or dates of payment.

Sec. 4. **EFFECTIVE DATE.**

This act is effective the day after final enactment.

Approved March 31, 1982

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