

1 To: Senator Anderson, Chair
 2 Committee on Jobs, Energy and Community Development
 3 Senator Dibble,
 4 Chair of the Subcommittee on Housing, to which was referred

5 S.F. No. 333: A bill for an act relating to agriculture;
 6 exempting certain farm labor housing from regulation as
 7 manufactured home park; amending Minnesota Statutes 2004,
 8 section 327.23, subdivision 2.

9 Reports the same back with the recommendation that the bill
 10 be amended as follows:

11 Page 1, line 20, after "homes" insert ":

12 (i)"

13 Page 1, line 22, before the period, insert "; and

14 (ii) are equipped with at least one automatic smoke
 15 detector that conforms to the applicable provisions of the
 16 National Fire Protection Association standard, identified as
 17 NFPA 501B, outside each sleeping area"

18 And when so amended that the bill be recommended to pass
 19 and be referred to the full committee.

20
 21 (Subcommittee Chair)
 22
 23 February 9, 2005.....
 24 (Date of Subcommittee action)

Senator Fischbach introduced--

S.F. No. 333: Referred to the Committee on Agriculture, Veterans and Gaming.

1 A bill for an act

2 relating to agriculture; exempting certain farm labor
3 housing from regulation as manufactured home park;
4 amending Minnesota Statutes 2004, section 327.23,
5 subdivision 2.

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

7 Section 1. Minnesota Statutes 2004, section 327.23,
8 subdivision 2, is amended to read:

9 Subd. 2. [MANUFACTURED HOME PARK.] (a) The term
10 "manufactured home park" shall not be construed to include:

11 (1) manufactured homes, buildings, tents or other
12 structures temporarily maintained by any individual or company
13 on premises associated with a work project and used exclusively
14 to house labor or other personnel occupied in such work project;
15 or

16 (2) two or less manufactured homes maintained by an
17 individual or company on premises associated with an
18 agricultural operation and used exclusively to house labor or
19 other personnel engaged in the agricultural operation, provided
20 the homes meet the requirements of section 326.243 and Minnesota
21 Rules, parts 4630.0600, subpart 1, 4630.0700, 4630.1200,
22 4630.3500, and 4715.0310.

23 (b) The state Department of Health may by rule prescribe
24 such sanitary facilities as it may deem necessary to provide for
25 the sanitation of such structures and the safety of the

01/07/05

[REVISOR] CKM/DN 05-1276

1 occupants thereof.

Bill Summary

Senate Counsel & Research

Senate

State of Minnesota

S.F. No. 333 - Manufactured Home Parks

Author: Senator Michelle L. Fischbach
Prepared by: John C. Fuller, Senate Counsel (651/296-3914)
Date: February 5, 2005

The state statutorily regulates manufactured home parks.

Section 1 excepts from the definition of a manufactured home park (and the attendant regulation that applies to manufactured home parks) two or fewer manufactured homes located on a premises associated with agricultural operations and used to house laborers engaged in those operations.

To be eligible for the exception, the home must comply with safety standards related to electrical and other apparatus contained in the home. The homes must also comply with state rules requiring an adequate supply of potable water, requirements related to plumbing systems, standards related to insect and rodent control, standards related to sewage disposal, and requirements related to the use of public sewer and water systems.

ICF:cs

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1 Senator moves to amend S.F. No. 333 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 2004, section 327.23,
4 subdivision 2, is amended to read:

5 Subd. 2. [MANUFACTURED HOME PARK.] (a) The term

6 "manufactured home park" shall not be construed to include:

7 (1) manufactured homes, buildings, tents or other
8 structures temporarily maintained by any individual or company
9 on premises associated with a work project and used exclusively
10 to house labor or other personnel occupied in such work project;
11 or

12 (2) two or less manufactured homes maintained by an
13 individual or company on premises associated with an
14 agricultural operation, located within 100 yards of an existing
15 residence on those premises and in an area zoned agricultural,
16 and used exclusively to house family or agricultural labor, as
17 defined in section 3121(g) of the Internal Revenue Code,
18 provided the homes meet the requirements of Minnesota Statutes,
19 sections 327.31 to 327.35, and Minnesota Rules, chapter 1350,
20 and parts 4630.0600, subpart 1; 4630.0700; 4630.1200; 4630.3500;
21 and 4715.0310.

22 (b) The state department of health may by rule prescribe
23 such sanitary facilities as it may deem necessary to provide for
24 the sanitation of such structures and the safety of the
25 occupants thereof.

1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was re-referred

3 S.F. No. 333: A bill for an act relating to agriculture;
4 exempting certain farm labor housing from regulation as
5 manufactured home park; amending Minnesota Statutes 2004,
6 section 327.23, subdivision 2.

7 Reports the same back with the recommendation that the bill
8 be amended as follows:

9 Delete everything after the enacting clause and insert:

10 "Section 1. Minnesota Statutes 2004, section 327.23,
11 subdivision 2, is amended to read:

12 Subd. 2. [MANUFACTURED HOME PARK.] (a) The term
13 "manufactured home park" shall not be construed to include:

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15 structures temporarily maintained by any individual or company
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20 individual or company on premises associated with an
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22 residence on those premises and in an area zoned agricultural,
23 and used exclusively to house family or agricultural labor, as
24 defined in section 3121(g) of the Internal Revenue Code,
25 provided the homes meet the requirements of Minnesota Statutes,
26 sections 327.31 to 327.35, and Minnesota Rules, chapter 1350,
27 and parts 4630.0600, subpart 1; 4630.0700; 4630.1200; 4630.3500;
28 and 4715.0310.

29 (b) The state department of health may by rule prescribe
30 such sanitary facilities as it may deem necessary to provide for
31 the sanitation of such structures and the safety of the
32 occupants thereof."

33 And when so amended the bill do pass. Amendments adopted.
34 Report adopted.

.....
(Committee Chair)

March 7, 2005.....
(Date of Committee recommendation)

Senators Dibble, Rosen, Anderson, Pariseau and Frederickson introduced--

S.F. No. 684: Referred to the Committee on Finance.

1 A bill for an act
2 relating to families; appropriating money for
3 emergency assistance and transitional housing.
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
5 Section 1. [APPROPRIATION.]
6 \$15,000,000 is appropriated from the general fund to the
7 commissioner of human services to be available until June 30,
8 2007. Of this appropriation:
9 (1) \$9,000,000 is for transitional housing programs under
10 Minnesota Statutes, section 119A.43. Up to ten percent of this
11 appropriation may be used for housing and services which extend
12 beyond 24 months; and
13 (2) \$6,000,000 is for emergency services grants under Laws
14 1997, chapter 162, article 3, section 7.
15 No more than five percent of this appropriation is
16 available for administering the grants. This appropriation is
17 in addition to any base appropriations funding and shall become
18 part of the agency's base.

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.
ST. PAUL, MN 55155-1606
(651) 296-4791
FAX: (651) 296-7747
JO ANNE ZOFF SELLNER
DIRECTOR

Senate

State of Minnesota

S.F. No. 684 -Transitional Housing Programs and Emergency Services Grants

Author: Senator D. Scott Dibble

Prepared by: Chris Turner, Senate Research (651/296-4350) *CT*

Date: March 7, 2005

The bill appropriates \$15 million from the general fund to the Commissioner of Human Services. Of the appropriation, \$9 million is for transitional housing services under Minnesota Statutes, section 119A.43, and \$6 million is for emergency services grants under Laws 1997, chapter 162, article, 3, section 7.

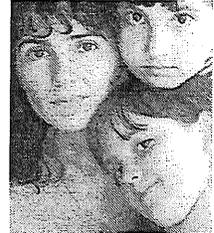
CT:vs

Rise, Incorporated
Barriers to Affordable Housing Assessment

Barrier	Comment
<input type="checkbox"/> Income less than would qualify for market rate housing (twice the income for rent).	
<input type="checkbox"/> Current income at or below poverty level for household size.	
<input type="checkbox"/> No rental subsidy in place at the moment.	
<input type="checkbox"/> Had Section 8 or other rental subsidy and had to turn it in; couldn't be used before expiration.	
<input type="checkbox"/> Unlawful detainer history (how many times).	
<input type="checkbox"/> Credit history.	
<input type="checkbox"/> Eviction history.	
<input type="checkbox"/> Unemployed.	
<input type="checkbox"/> Criminal history.	
<input type="checkbox"/> Unmet social services needs.	
<input type="checkbox"/> Poor rental references/no return of last security deposit/non-renewal of lease.	
<input type="checkbox"/> Other legal problems that would be reflected on a background check.	
<input type="checkbox"/> Unpaid utility bills that would prevent utilities from being available.	
<input type="checkbox"/> Large family.	
<input type="checkbox"/> Number times experienced homelessness in the last three years.	
<input type="checkbox"/> Animals	
<input type="checkbox"/> Poor housekeeping history.	
<input type="checkbox"/> Other:	



MINNESOTA DISPLACED HOMEMAKER PRE-EMPLOYMENT PROGRAM



Minnesota Displaced Homemaker Pre-employment Program

Purpose

This program provides pre-employment services that empower participants to enter or re-enter the labor market after having been homemakers.

Customers

Customers are male and female homemakers who have been widowed, abandoned, divorced, separated, or have a disabled spouse and must support themselves and their family. Eligibility is based on income guidelines.

Services and Providers

Minnesota now has six Displaced Homemaker Pre-employment Programs that provide services to 48 counties. (Previously, 12 programs served all 87 counties.) Services include workshops, support groups and networking, one-to-one personal or vocational counseling, job-seeking and keeping methods, leadership development, decision-making skills and assistance with developing and implementing a concrete action plan for self sufficiency. These resources help participants build confidence, identify skills, training and employment. Other services may include referral for remedial education, child care, legal assistance, and other support services. Providers assist participants in obtaining funds for transportation, child care, and work and/or school related expenses.

Measures (July 1, 2003 – June 30, 2004)

Number of DHP participants who received services	1,025
Received personal counseling and / or life skills development	81 %
Achieved positive termination	82 %
Received career/educational counseling	51 %
Pre-employment preparation	33 %
Employed at completion of the program at an average wage of \$11.06	30 %

Funding Source and Allocation (Fiscal Year 2005—July 1, 2004 – June 30, 2005)

Annual funding for the Displaced Homemaker Pre-employment Program is \$240,000 in fees and \$750,000 in state Work Force Development funds. Of the \$990,000 total, the Department of Employment and Economic Development utilizes \$90,000 for administrative costs.

Statutory Authority

Minnesota Statutes 116L.96 - 2004.

1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was re-referred

3 S.F. No. 684: A bill for an act relating to families;
4 appropriating money for emergency assistance and transitional
5 housing.

6 Reports the same back with the recommendation that the bill
7 do pass and be re-referred to the Committee on Finance. Report.
8 adopted.

9

10


.....
(Committee Chair)

11

12

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14

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March 7, 2005.....
(Date of Committee recommendation)

Senators Dibble, Rosen, Ranum, Frederickson and Sams introduced--
S.F. No. 1271: Referred to the Committee on Jobs, Energy and Community Development.

1.

1

A bill for an act

2

relating to economic development; adjusting marriage

3

and marriage dissolution fees to fund employment

4

opportunities; appropriating money; amending Minnesota

5

Statutes 2004, sections 357.021, subdivisions 1a, 2;

6

517.08, subdivisions 1b, 1c.

7

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

8

Section 1. Minnesota Statutes 2004, section 357.021,

9

subdivision 1a, is amended to read:

10

Subd. 1a. [TRANSMITTAL OF FEES TO COMMISSIONER OF

11

FINANCE.] (a) Every person, including the state of Minnesota and

12

all bodies politic and corporate, who shall transact any

13

business in the district court, shall pay to the court

3

14

administrator of said court the sundry fees prescribed in

15

subdivision 2. Except as provided in paragraph (d), the court

16

administrator shall transmit the fees monthly to the

17

commissioner of finance for deposit in the state treasury and

18

credit to the general fund. \$30 of each fee collected in a

19

dissolution action under subdivision 2, clause (1), must be

20

deposited by the commissioner of finance in the special revenue

21

fund to be appropriated to the commissioner of employment and

22

economic development for the displaced homemaker program under

23

section 116L.96.

3

24

(b) In a county which has a screener-collector position,

25

fees paid by a county pursuant to this subdivision shall be

26

transmitted monthly to the county treasurer, who shall apply the

1 fees first to reimburse the county for the amount of the salary
2 paid for the screener-collector position. The balance of the
3 fees collected shall then be forwarded to the commissioner of
4 finance for deposit in the state treasury and credited to the
5 general fund. In a county in a judicial district under section
6 480.181, subdivision 1, paragraph (b), which has a
7 screener-collector position, the fees paid by a county shall be
8 transmitted monthly to the commissioner of finance for deposit
9 in the state treasury and credited to the general fund. A
10 screener-collector position for purposes of this paragraph is an
11 employee whose function is to increase the collection of fines
12 and to review the incomes of potential clients of the public
13 defender, in order to verify eligibility for that service.

14 (c) No fee is required under this section from the public
15 authority or the party the public authority represents in an
16 action for:

17 (1) child support enforcement or modification, medical
18 assistance enforcement, or establishment of parentage in the
19 district court, or in a proceeding under section 484.702;

20 (2) civil commitment under chapter 253B;

21 (3) the appointment of a public conservator or public
22 guardian or any other action under chapters 252A and 525;

23 (4) wrongfully obtaining public assistance under section
24 256.98 or 256D.07, or recovery of overpayments of public
25 assistance;

26 (5) court relief under chapter 260;

27 (6) forfeiture of property under sections 169A.63 and
28 609.531 to 609.5317;

29 (7) recovery of amounts issued by political subdivisions or
30 public institutions under sections 246.52, 252.27, 256.045,
31 256.25, 256.87, 256B.042, 256B.14, 256B.15, 256B.37, 260B.331,
32 and 260C.331, or other sections referring to other forms of
33 public assistance;

34 (8) restitution under section 611A.04; or

35 (9) actions seeking monetary relief in favor of the state
36 pursuant to section 16D.14, subdivision 5.

1 (d) The fees collected for child support modifications
2 under subdivision 2, clause (13), must be transmitted to the
3 county treasurer for deposit in the county general fund. The
4 fees must be used by the county to pay for child support
5 enforcement efforts by county attorneys.

6 Sec. 2. Minnesota Statutes 2004, section 357.021,
7 subdivision 2, is amended to read:

8 Subd. 2. [FEE AMOUNTS.] The fees to be charged and
9 collected by the court administrator shall be as follows:

10 (1) In every civil action or proceeding in said court,
11 including any case arising under the tax laws of the state that
12 could be transferred or appealed to the Tax Court, the
13 plaintiff, petitioner, or other moving party shall pay, when the
14 first paper is filed for that party in said action, a fee of
15 \$235, except in marriage dissolution actions the fee is \$265.

16 The defendant or other adverse or intervening party, or any
17 one or more of several defendants or other adverse or
18 intervening parties appearing separately from the others, shall
19 pay, when the first paper is filed for that party in said
20 action, a fee of \$235, except in marriage dissolution actions
21 the fee is \$265.

22 The party requesting a trial by jury shall pay \$75.

23 The fees above stated shall be the full trial fee
24 chargeable to said parties irrespective of whether trial be to
25 the court alone, to the court and jury, or disposed of without
26 trial, and shall include the entry of judgment in the action,
27 but does not include copies or certified copies of any papers so
28 filed or proceedings under chapter 103E, except the provisions
29 therein as to appeals.

30 (2) Certified copy of any instrument from a civil or
31 criminal proceeding, \$10, and \$5 for an uncertified copy.

32 (3) Issuing a subpoena, \$12 for each name.

33 (4) Filing a motion or response to a motion in civil,
34 family, excluding child support, and guardianship cases, \$55.

35 (5) Issuing an execution and filing the return thereof;
36 issuing a writ of attachment, injunction, habeas corpus,

1 mandamus, quo warranto, certiorari, or other writs not
2 specifically mentioned, \$40.

3 (6) Issuing a transcript of judgment, or for filing and
4 docketing a transcript of judgment from another court, \$30.

5 (7) Filing and entering a satisfaction of judgment, partial
6 satisfaction, or assignment of judgment, \$5.

7 (8) Certificate as to existence or nonexistence of
8 judgments docketed, \$5 for each name certified to.

9 (9) Filing and indexing trade name; or recording basic
10 science certificate; or recording certificate of physicians,
11 osteopaths, chiropractors, veterinarians, or optometrists, \$5.

12 (10) For the filing of each partial, final, or annual
13 account in all trusteeships, \$40.

14 (11) For the deposit of a will, \$20.

15 (12) For recording notary commission, \$100, of which,
16 notwithstanding subdivision 1a, paragraph (b), \$80 must be
17 forwarded to the commissioner of finance to be deposited in the
18 state treasury and credited to the general fund.

19 (13) Filing a motion or response to a motion for
20 modification of child support, a fee fixed by rule or order of
21 the Supreme Court.

22 (14) All other services required by law for which no fee is
23 provided, such fee as compares favorably with those herein
24 provided, or such as may be fixed by rule or order of the court.

25 (15) In addition to any other filing fees under this
26 chapter, a surcharge in the amount of \$75 must be assessed in
27 accordance with section 259.52, subdivision 14, for each
28 adoption petition filed in district court to fund the fathers'
29 adoption registry under section 259.52.

30 The fees in clauses (3) and (5) need not be paid by a
31 public authority or the party the public authority represents.

32 Sec. 3. Minnesota Statutes 2004, section 517.08,
33 subdivision 1b, is amended to read:

34 Subd. 1b. [TERM OF LICENSE; FEE; PREMARITAL EDUCATION.]

35 (a) The local registrar shall examine upon oath the party
36 applying for a license relative to the legality of the

1 contemplated marriage. If at the expiration of a five-day
2 period, on being satisfied that there is no legal impediment to
3 it, including the restriction contained in section 259.13, the
4 local registrar shall issue the license, containing the full
5 names of the parties before and after marriage, and county and
6 state of residence, with the county seal attached, and make a
7 record of the date of issuance. The license shall be valid for
8 a period of six months. In case of emergency or extraordinary
9 circumstances, a judge of the district court of the county in
10 which the application is made, may authorize the license to be
11 issued at any time before the expiration of the five days.
12 Except as provided in paragraph (b), the local registrar shall
13 collect from the applicant a fee of ~~\$85~~ \$95 for administering
14 the oath, issuing, recording, and filing all papers required,
15 and preparing and transmitting to the state registrar of vital
16 statistics the reports of marriage required by this section. If
17 the license should not be used within the period of six months
18 due to illness or other extenuating circumstances, it may be
19 surrendered to the local registrar for cancellation, and in that
20 case a new license shall issue upon request of the parties of
21 the original license without fee. A local registrar who
22 knowingly issues or signs a marriage license in any manner other
23 than as provided in this section shall pay to the parties
24 aggrieved an amount not to exceed \$1,000.

25 (b) The marriage license fee for parties who have completed
26 at least 12 hours of premarital education is ~~\$20~~ \$40. In order
27 to qualify for the reduced fee, the parties must submit a signed
28 and dated statement from the person who provided the premarital
29 education confirming that it was received. The premarital
30 education must be provided by a licensed or ordained minister or
31 the minister's designee, a person authorized to solemnize
32 marriages under section 517.18, or a person authorized to
33 practice marriage and family therapy under section 148B.33. The
34 education must include the use of a premarital inventory and the
35 teaching of communication and conflict management skills.

36 (c) The statement from the person who provided the

1 premarital education under paragraph (b) must be in the
2 following form:

3 "I, (name of educator), confirm that (names of both
4 parties) received at least 12 hours of premarital education that
5 included the use of a premarital inventory and the teaching of
6 communication and conflict management skills. I am a licensed
7 or ordained minister, a person authorized to solemnize marriages
8 under Minnesota Statutes, section 517.18, or a person licensed
9 to practice marriage and family therapy under Minnesota
10 Statutes, section 148B.33."

11 The names of the parties in the educator's statement must
12 be identical to the legal names of the parties as they appear in
13 the marriage license application. Notwithstanding section
14 138.17, the educator's statement must be retained for seven
15 years, after which time it may be destroyed.

16 (d) If section 259.13 applies to the request for a marriage
17 license, the local registrar shall grant the marriage license
18 without the requested name change. Alternatively, the local
19 registrar may delay the granting of the marriage license until
20 the party with the conviction:

21 (1) certifies under oath that 30 days have passed since
22 service of the notice for a name change upon the prosecuting
23 authority and, if applicable, the attorney general and no
24 objection has been filed under section 259.13; or

25 (2) provides a certified copy of the court order granting
26 it. The parties seeking the marriage license shall have the
27 right to choose to have the license granted without the name
28 change or to delay its granting pending further action on the
29 name change request.

30 Sec. 4. Minnesota Statutes 2004, section 517.08,
31 subdivision 1c, is amended to read:

32 Subd. 1c. [DISPOSITION OF LICENSE FEE.] (a) Of the
33 marriage license fee collected pursuant to subdivision 1b,
34 paragraph (a), \$15 must be retained by the county. The local
35 registrar must pay \$70 to the commissioner of finance to be
36 deposited as follows:

- 1 (1) \$50 in the general fund;
- 2 (2) \$3 in the special revenue fund to be appropriated to
3 the commissioner of education for parenting time centers under
4 section 119A.37;
- 5 (3) \$2 in the special revenue fund to be appropriated to
6 the commissioner of health for developing and implementing the
7 MN ENABL program under section 145.9255;
- 8 (4) ~~\$10~~ \$20 in the special revenue fund to be appropriated
9 to the commissioner of employment and economic development for
10 the displaced homemaker program under section 116L.96; and
- 11 (5) \$5 in the special revenue fund to be appropriated to
12 the commissioner of human services for the Minnesota Healthy
13 Marriage and Responsible Fatherhood Initiative under section
14 256.742.
- 15 (b) Of the \$20 fee under subdivision 1b, paragraph (b), \$15
16 must be retained by the county. The local registrar must
17 pay ~~\$5~~ \$25 to the commissioner of finance to be ~~distributed~~
18 deposited as follows:
- 19 (1) \$5 as provided in paragraph (a), clauses (2) and (3);
20 and
- 21 (2) \$20 in the special revenue fund to be appropriated to
22 the commissioner of employment and economic development for the
23 displaced homemaker program under section 116L.96.
- 24 (c) The increase in the marriage license fee under
25 paragraph (a) provided for in Laws 2004, chapter 273, and
26 disbursement of the increase in that fee to the special fund for
27 the Minnesota Healthy Marriage and Responsible Fatherhood
28 Initiative under paragraph (a), clause (5), is contingent upon
29 the receipt of federal funding under United States Code, title
30 42, section 1315, for purposes of the initiative.

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.
ST. PAUL, MN 55155-1606
(651) 296-4791
FAX: (651) 296-7747
JO ANNE ZOFF SELLNER
DIRECTOR

Senate

State of Minnesota

**S.F. No. 1271 -Marriage License and Dissolution Fee Increases;
Dedicating Fee Increases to the Displaced Homemaker Program**

Author: Senator D. Scott Dibble

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 7, 2005

Sections 1 and 2 increase the marriage dissolution fee from \$235 to \$265 and dedicate the \$30 fee increase to the displaced homemaker program under Minnesota Statutes, section 116L.96.

Section 3 increases the standard marriage license fee from \$85 to \$95 and increases the reduced marriage license fee for couples who have completed at least 12 hours of premarital education from \$20 to \$40.

Section 4 dedicates the \$10 and \$20 marriage license fee increases to the displaced homemaker program under Minnesota Statutes, section 116L.96.

CT:vs

1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was referred

3 S.F. No. 1271: A bill for an act relating to economic
4 development; adjusting marriage and marriage dissolution fees to
5 fund employment opportunities; appropriating money; amending
6 Minnesota Statutes 2004, sections 357.021, subdivisions 1a, 2;
7 517.08, subdivisions 1b, 1c.

8 Reports the same back with the recommendation that the bill
9 be amended as follows:

10 Page 7, line 15, strike "\$20" and insert "\$40"

11 And when so amended the bill do pass and be re-referred to
12 the Committee on Finance. Amendments adopted. Report adopted.

13

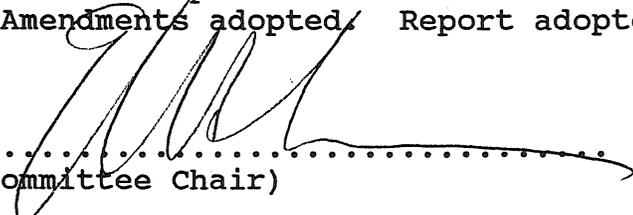
14

15

16

17

18


.....
(Committee Chair)

March 7, 2005
(Date of Committee recommendation)

1 To: Senator Anderson, Chair
 2 Committee on Jobs, Energy and Community Development
 3 Senator Dibble,
 4 Chair of the Subcommittee on Housing, to which was referred

5 S.F. No. 308: A bill for an act relating to landlord and
 6 tenant; regulating actions by government units to obtain
 7 remedies for building and other code violations; amending
 8 Minnesota Statutes 2004, section 504B.395, subdivision 1.

9 Reports the same back with the recommendation that the bill
 10 be amended as follows:

11 Page 1, line 25, before the period, insert "; but if the
 12 building is unoccupied, then only for violations related to
 13 either the exterior of the structure or the exterior property
 14 area"

15 And when so amended that the bill be recommended to pass
 16 and be referred to the full committee.

D. Matt Dibble

 (Subcommittee Chair)

February 9, 2005.....
 (Date of Subcommittee action)

Senators Marko and Betzold introduced--

S.F. No. 308: Referred to the Committee on Jobs, Energy and Community Development.

1 A bill for an act

2 relating to landlord and tenant; regulating actions by
3 government units to obtain remedies for building and
4 other code violations; amending Minnesota Statutes
5 2004, section 504B.395, subdivision 1.

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

7 Section 1. Minnesota Statutes 2004, section 504B.395,
8 subdivision 1, is amended to read:

9 Subdivision 1. [WHO MAY BRING ACTION.] An action may be
10 brought in district court by:

11 (1) a residential tenant of a residential building in which
12 a violation, as defined in section 504B.001, subdivision 14, is
13 alleged to exist;

14 (2) any housing-related neighborhood organization with the
15 written permission of a residential tenant of a residential
16 building in which a violation, as defined in section 504B.001,
17 subdivision 14, clause (1) or (2), is alleged to exist;

18 (3) a housing-related neighborhood organization that has
19 within its geographical area an unoccupied residential building
20 in which a violation, as defined in section 504B.001,
21 subdivision 14, clause (1) or (2), is alleged to exist; or

22 (4) a state, county, or local department or authority,
23 charged with the enforcement of codes relating to health,
24 housing, or building maintenance, regardless of whether the
25 residential building is occupied or unoccupied.

Bill Summary

Senate Counsel & Research

Senate

State of Minnesota

S.F. No. 308 - Landlord and Tenant/Building Code Violations

Author: Senator Sharon Marko
Prepared by: John C. Fuller, Senate Counsel (651/296-3914)
Date: February 5, 2005

Minnesota Statutes, sections 504B.395 to 504B.471, are a comprehensive scheme to provide tenant remedies for certain landlord violations of codes and leases. A variety of entities are permitted to bring actions against a landlord for certain violations as part of a fairly complex procedure permitting actions.

Section 1 provides that a state, county, or local department or authority, which is already authorized to bring actions for certain landlord violations involving code violations, may bring those actions regardless of whether the residential building that is the subject of the action is occupied or unoccupied.

JCF:cs

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1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was referred

3 S.F. No. 308: A bill for an act relating to landlord and
4 tenant; regulating actions by government units to obtain
5 remedies for building and other code violations; amending
6 Minnesota Statutes 2004, section 504B.395, subdivision 1.

7 Reports the same back with the recommendation that the bill
8 be amended as follows:

9 Page 1, line 25, before the period, insert "but if the
10 building is unoccupied, then only for violations related to
11 either the exterior of the structure or the exterior property
12 area"

13 And when so amended the bill do pass and be re-referred to
14 the Committee on Judiciary. Amendments adopted. Report adopted.

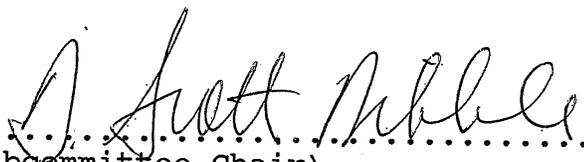
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7 (Committee Chair)

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19 March 7, 2005.....
20 (Date of Committee recommendation)

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To: Senator Anderson, Chair
Committee on Jobs, Energy and Community Development
Senator Dibble,
Chair of the Subcommittee on Housing, to which was referred
S.F. No. 471: A bill for an act relating to regional
development commissions; expanding the power to get and use real
or personal property; amending Minnesota Statutes 2004, section
462.391, subdivision 12.

Reports the same back with the recommendation that the bill
do pass and be referred to the full committee.


.....
(Subcommittee Chair)

February 9, 2005.....
(Date of Subcommittee action)

Senators Koering, Vickerman, Solon, Kubly and Ruud introduced—

S. F. No. 471 Referred to the Committee on Jobs, Energy & Community
Development

1 A bill for an act

2 relating to regional development commissions;
3 expanding the power to get and use real or personal
4 property; amending Minnesota Statutes 2004, section
5 462.391, subdivision 12.

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

7 Section 1. Minnesota Statutes 2004, section 462.391,
8 subdivision 12, is amended to read:

9 Subd. 12. [PROPERTY OWNERSHIP.] A commission may buy,
10 lease, acquire, own, hold, improve, and use real or personal
11 property or an interest in property, wherever located in the
12 state for purposes of housing the administrative office of the
13 regional commission, or to facilitate the development of
14 affordable housing opportunities in cooperation with federal,
15 state, regional, and local housing agencies or authorities or
16 local units of government.

Bill Summary

Senate Counsel & Research

Senate

State of Minnesota

S.F. No. 471 - Regional Development Commissions

Author: Senator Paul E. Koering
Prepared by: John C. Fuller, Senate Counsel (651/296-3914)
Date: February 5, 2005

Regional development commissions are created and defined by state law.

Section 1 expands the authority of a commission with respect to its powers to buy, lease, acquire, own, hold, improve, and use real or personal property. Under current law, the commission's authority is limited to housing administrative offices of the commission. Section 1 expands its property ownership powers to allow them to be used to facilitate the development of affordable housing opportunities in cooperation with federal, state, regional, or local housing agencies or authorities or local units of government.

JCF:cs

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1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was referred

3 S.F. No. 471: A bill for an act relating to regional
4 development commissions; expanding the power to get and use real
5 or personal property; amending Minnesota Statutes 2004, section
6 462.391, subdivision 12.

7 Reports the same back with the recommendation that the bill
8 do pass and be placed on the Consent Calendar. Report adopted.

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(Committee Chair)

March 7, 2005.....
(Date of Committee recommendation)

Senator Bakk introduced--

S.F. No. 1404: Referred to the Committee on Jobs, Energy and Community Development.

1 A bill for an act

2 relating to employment; providing exemptions from
3 employment agency licensing requirements; prohibiting
4 certain fee payments; amending Minnesota Statutes
5 2004, section 184.22, by adding subdivisions.

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

7 Section 1. Minnesota Statutes 2004, section 184.22, is
8 amended by adding a subdivision to read:

9 Subd. 6. [EXEMPTIONS.] (a) Except as otherwise provided,
10 sections 184.21 to 184.41 do not apply to any person, firm,
11 corporation, partnership, or association engaged in the business
12 of management consulting, management search consulting, or
13 personnel consulting, hereafter "search firm," if:

14 (1) the search firm is retained by, acts on behalf of, and
15 is only compensated by the employer, pursuant to a written or
16 oral agreement specifying the position to be filled;

17 (2) in no instance will any individual candidate who is
18 identified, appraised, or recommended by the search firm for
19 employment become liable in whole or in part to pay a fee of any
20 kind, directly or indirectly, on account of any service
21 performed by the search firm;

22 (3) in no instance does the search firm or its agents
23 solicit, persuade, or induce any individual to terminate
24 employment with an employer with whom the search firm has placed
25 that individual; and

1 (4) the search firm does not carry on any other activity
2 that comes within the definition of employment agency as defined
3 in section 184.21, subdivision 2.

4 (b) If the commissioner at any time has reason to believe
5 that the search firm has not conducted its business in a manner
6 consistent with the conditions in paragraph (a), clauses (1) to
7 (4), the commissioner may inspect the relevant records of the
8 search firm for the purpose of confirming whether the search
9 firm has maintained its exempt status during the year. If it is
10 determined, either by written admission by the search firm or by
11 a finding of fact in a court of law or by a hearing officer
12 pursuant to chapter 14, that any of the four conditions in
13 paragraph (a) were not met, the search firm shall be considered
14 an employment agency and be subject to sections 184.21 to
15 184.41. If an employment agency offers services which are the
16 same or similar to those offered by a search firm, or if a
17 search firm offers services which are the same or similar to
18 those offered by an employment agency, the person or entity
19 offering these combined employment agency and search firm
20 services shall identify itself to the public by displaying the
21 name in which it is registered with the commissioner as a
22 licensed employment agency; provided, that no registered search
23 firm may offer licensed employment agency services at the same
24 location.

25 Sec. 2. Minnesota Statutes 2004, section 184.22, is
26 amended by adding a subdivision to read:

27 Subd. 7. [FEE PAYMENT PROHIBITED.] No employer may require
28 any job candidate placed with the employer by a search firm to
29 pay, directly or indirectly, all or part of the search firm's
30 fee.

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.
ST. PAUL, MN 55155-1606
(651) 296-4791
FAX: (651) 296-7747
JO ANNE ZOFF SELLNER
DIRECTOR

Senate

State of Minnesota

S.F. No. 1404 -Providing Exemptions for Employment “Search Firms” from Employment Agency Licensing Requirements

Author: Senator Thomas M. Bakk

Prepared by: Chris Turner, Senate Research (651/296-4350) *CT*

Date: March 7, 2005

Section 1, paragraph (a), provides that the license requirements of Minnesota Statutes, sections 184.21 to 184.41, relating to employment agencies do not apply to persons or firms engaged in management consulting, management search consulting, or personnel consulting (termed “search firms”) if:

- (1) the search firm is retained and paid by the employer according to a written or oral agreement specifying the position to be filled;
- (2) the candidate recommended by the firm does not pay a fee of any kind;
- (3) the search firm does not solicit or persuade any individual to terminate employment with an employer with whom the search firm has placed that individual; and
- (4) the search firm does not engage in any other employment agency activity as defined in Minnesota Statutes, section 184.21, subdivision 2.

Paragraph (b), authorizes the Commissioner of Labor and Industry to investigate any search firm that the commissioner believes does not comply with the requirements set forth above. If the commissioner finds that any of the four conditions were not met, the firm shall be declared an employment agency and shall be subject to the license requirements of Minnesota Statutes, sections 184.21 to 184.41. Firms providing both employment agency and search firm services shall be considered employment agencies for the purposes of advertising and licensing.

Section 2 prohibits employers from charging a job candidate placed by a search firm a fee of any kind for the services of the search firm.

CT:vs

- 1 Senator moves to amend 05-0207 as follows:
- 2 Page 2, line 21, delete "in which it is registered" and
- 3 insert "filed"
- 4 Page 2, line 22, delete "registered"

1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was referred

3 S.F. No. 1404: A bill for an act relating to employment;
4 providing exemptions from employment agency licensing
5 requirements; prohibiting certain fee payments; amending
6 Minnesota Statutes 2004, section 184.22, by adding subdivisions.

7 Reports the same back with the recommendation that the bill
8 be amended as follows:

9 Page 2, line 21, delete "in which it is registered" and
10 insert "filed"

11 Page 2, line 22, delete "registered"

12 And when so amended the bill do pass. Amendments adopted.
13 Report adopted.

14
15 (Committee Chair)

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17 March 7, 2005.....
18 (Date of Committee recommendation)

Senator Bakk introduced--

S.F. No. 1405: Referred to the Committee on Jobs, Energy and Community Development.

1 A bill for an act

2 relating to occupational safety and health; modifying
3 standard industrial classification list rulemaking
4 provisions; amending Minnesota Statutes 2004, section
5 182.653, subdivision 9.

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

7 Section 1. Minnesota Statutes 2004, section 182.653,
8 subdivision 9, is amended to read:

9 Subd. 9. [STANDARD INDUSTRIAL CLASSIFICATION LIST.] The
10 commissioner shall adopt, in accordance with section 182.655, a
11 rule specifying a list of either standard industrial
12 classifications of employers or North American industry
13 classifications of employers who must comply with subdivision
14 8. The commissioner shall demonstrate the need to include each
15 industrial classification on the basis of the safety record or
16 workers' compensation record of that industry segment. An
17 employer must comply with subdivision 8 six months following the
18 date the standard industrial classification or North American
19 industry classification that applies to the employee is placed
20 on the list. An employer having less than 51 employees must
21 comply with subdivision 8 six months following the date the
22 standard industrial classification or North American industry
23 classification that applies to the employee is placed on the
24 list or by July 1, 1993, whichever is later. The list shall be
25 updated every two years.

**Senate Counsel, Research,
and Fiscal Analysis**

G-17 STATE CAPITOL
75 REV. DR. MARTIN LUTHER KING, JR. BLVD.
ST. PAUL, MN 55155-1606
(651) 296-4791
FAX: (651) 296-7747
JO ANNE ZOFF SELLNER
DIRECTOR

Senate

State of Minnesota

**S.F. No. 1405 -Modifying Standard Industrial Classifications List
Rulemaking Requirements**

Author: Senator Thomas M. Bakk

Prepared by: Chris Turner, Senate Research (651/296-4350) CT

Date: March 7, 2005

The bill requires the Commissioner of Labor and Industry to modify an occupational safety and health rule specifying who must comply with the workplace accident and injury reduction program under Minnesota Statutes, section 182.653, subdivision 8. The new rule shall list who must comply by either standard industrial classifications of employers or North American industry classifications of employers. Current law requires the list by standard industrial classification only.

CT:vs

1 Senator Anderson from the Committee on Jobs, Energy and
2 Community Development, to which was referred

3 S.F. No. 1405: A bill for an act relating to occupational
4 safety and health; modifying standard industrial classification
5 list rulemaking provisions; amending Minnesota Statutes 2004,
6 section 182.653, subdivision 9.

7 Reports the same back with the recommendation that the bill
8 do pass and be placed on the Consent Calendar. Report adopted.

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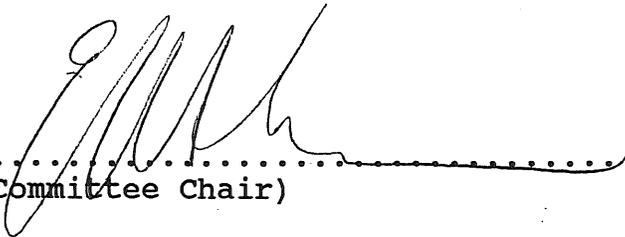
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(Committee Chair)

March 7, 2005.....
(Date of Committee recommendation)