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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

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.

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. 471: A bill for an act relating to regional
 6 development commissions; expanding the power to get and use real
 7 or personal property; amending Minnesota Statutes 2004, section
 8 462.391, subdivision 12.
 9 Reports the same back with the recommendation that the bill
 10 do pass and be referred to the full committee.

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 14
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 16
 17

D. Scott Dibble

 (Subcommittee Chair)

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

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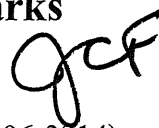
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S.F. No. 333 - Manufactured Home Parks

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.

JCF:cs

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

1 occupants thereof.

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

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

3 (i)"

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

5 (ii) are equipped with at least one automatic smoke

6 detector that conforms to the applicable provisions of the

7 National Fire Protection Association standard, identified as

8 NFPA 501B, outside each sleeping area"

Minn. Stat. § 326.243 Safety standards.

All electrical wiring, apparatus and equipment for electric light, heat and power, technology circuits or systems shall comply with the rules of the Department of Commerce or the Department of Labor and Industry, as applicable, and be installed in conformity with accepted standards of construction for safety to life and property. For the purposes of this chapter, the rules and safety standards stated at the time the work is done in the then most recently published edition of the National Electrical Code as adopted by the National Fire Protection Association, Inc. and approved by the American National Standards Institute, and the National Electrical Safety Code as published by the Institute of Electrical and Electronics Engineers, Inc. and approved by the American National Standards Institute, shall be prima facie evidence of accepted standards of construction for safety to life and property; provided further, that in the event a Minnesota Building Code is formulated pursuant to section 16B.61, containing approved methods of electrical construction for safety to life and property, compliance with said methods of electrical construction of said Minnesota Building Code shall also constitute compliance with this section, and provided further, that nothing herein contained shall prohibit any political subdivision from making and enforcing more stringent requirements than set forth herein and such requirements shall be complied with by all licensed electricians working within the jurisdiction of such political subdivisions.

Minn. R. § 4630.0600 WATER SUPPLY.

Subpart 1. **Requirement.** An adequate supply of water of safe, sanitary, and potable quality shall be provided in each mobile home park and recreational camping area. Water supplies must meet the requirements of chapter 4720 for public water supplies, or chapter 4725 for wells.

Minn. R. § 4630.0700 PLUMBING.

All systems of plumbing in mobile home parks and recreational camping areas shall be installed in accordance with the rules of the commissioner of health and the provisions of chapter 4715, the Minnesota Plumbing Code.

Minn. R. § 4630.1200 INSECT AND RODENT HARBORAGE AND INFESTATION CONTROL.

Mobile home parks and recreational camping areas shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitoes, and other pests. Storage areas shall be so maintained as to prevent rodent harborage. Lumber, pipe, and other building materials shall be stored at least one foot above the ground. Areas shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health.

Minn. R. § 4630.3500 SEWAGE AND EXCRETA DISPOSAL.

Where water flush toilets are used, a sewage disposal system acceptable to the commissioner of health shall be provided. Where water flush toilets are not provided, privies of the pit type, which conform to a standard of construction acceptable to the commissioner of health, shall be used. Such privies shall be placed separate and apart from the sleeping, living, and kitchen quarters. Toilets of the privy or pit type hereinafter constructed shall be located at least 100 feet from the kitchen and dining quarters.

Minn. R. § 4715.0310 USE OF PUBLIC SEWER AND WATER SYSTEMS REQUIRED.

If a public sewer is accessible in a street or alley to a building or premises and the connection is feasible, liquid wastes from any plumbing system in that building must be discharged into the public sewer unless otherwise prohibited by this code or a local ordinance. If a public water supply system is accessible, the water distribution system must be connected to it unless otherwise permitted by the administrative authority. A water well taken out of service because a person is connecting to a public water supply must either be maintained for a use such as irrigation, or sealed and abandoned in accordance with the Minnesota Water Well Construction Code. (Minnesota Rules, chapter 4725)

If either a public sewer or water supply system or both are not available, an individual water supply or sewage disposal system, or both, conforming to the published standards of the administrative authority must be provided.

Every building must have its own independent connection with a public or private sewer, except that a group of buildings may be connected to one or more manholes which are constructed on the premises, and connected to a public or private sewer. These manholes must conform to the standards set by the local sewer authority.

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Support SF 333

*Senator Fischbach's Bill to Exempt Certain Farm Labor
Housing from Regulation as Manufactured Home Park*

Issue

Farm operations where familial and non-familial workers live in manufactured homes on farms are currently required to be licensed as manufactured home parks. These operations are not intended to be nor do they operate as manufactured home parks.

What this Legislation Does

It removes unnecessary and unintended regulation from farm operations where family and other workers permanently reside on the land in manufactured housing.

What Protections Are Included to Insure Health, Safety and Sanitary Conditions

While these farm operations would not be required to obtain licenses as manufactured home parks, they would still be obligated to comply with Minnesota law, Minnesota Department of Health rules, and other provisions requiring:

- Electrical safety standards (Minn. Stat. § 326.243)
- Safe, adequate, sanitary, and potable water supply (Minn. R. § 4630.0600)
- Installation of plumbing according to code (Minn. R. § 4630.0700)
- Maintenance of housing free of insect or rodent infestation (Minn. R. § 4630.1200)
- An adequate waste disposal system (Minn. R. § 4630.3500)
- Installation of smoke detectors in every unit.

Why Should this Legislation be Adopted?

It strikes the appropriate balance between reducing burdensome, unnecessary and inapplicable regulation with protection of basic health, safety and sanitary needs of farm workers.

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 *D. Matt Dibble*
 22 (Subcommittee Chair)

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

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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



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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

moves to amend SF

Line 25, before the period, insert:

j but if the building is unoccupied,
then only for violations related to either
the exterior of the structure or the
exterior property area.

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. Scott Dibble

 (Subcommittee Chair)

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