

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 656

(SENATE AUTHORS: SCHMIT, Sparks and Bonoff)

DATE	D-PG	OFFICIAL STATUS
02/21/2013	354	Introduction and first reading Referred to Jobs, Agriculture and Rural Development
02/28/2013	416a	Comm report: To pass as amended and re-refer to Finance

A bill for an act

1.1 relating to labor and industry; making housekeeping changes related to
 1.2 construction codes and licensing, and combative sports; regulating licenses for
 1.3 manufactured home sales; amending Minnesota Statutes 2012, sections 116J.70,
 1.4 subdivision 2a; 326B.081, subdivision 3; 326B.082, subdivision 11; 326B.093,
 1.5 subdivision 4; 326B.101; 326B.103, subdivision 11; 326B.121, subdivision 1;
 1.6 326B.31, by adding a subdivision; 326B.43, subdivision 2; 326B.89, subdivision
 1.7 1; 327B.04, subdivision 4; 341.21, subdivision 3a; 341.221; 341.27; 341.29;
 1.8 341.30, subdivision 4; 341.32, subdivision 2; repealing Minnesota Statutes 2012,
 1.9 section 326B.978, subdivision 4.
 1.10

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

ARTICLE 1

CONSTRUCTION CODE AND LICENSING

1.14 Section 1. Minnesota Statutes 2012, section 116J.70, subdivision 2a, is amended to read:

1.15 Subd. 2a. **License; exceptions.** "Business license" or "license" does not include
 1.16 the following:

1.17 (1) any occupational license or registration issued by a licensing board listed in
 1.18 section 214.01 or any occupational registration issued by the commissioner of health
 1.19 pursuant to section 214.13;

1.20 (2) any license issued by a county, home rule charter city, statutory city, township, or
 1.21 other political subdivision;

1.22 (3) any license required to practice the following occupation regulated by the
 1.23 following sections:

1.24 (i) abstracters regulated pursuant to chapter 386;

1.25 (ii) accountants regulated pursuant to chapter 326A;

1.26 (iii) adjusters regulated pursuant to chapter 72B;

- 2.1 (iv) architects regulated pursuant to chapter 326;
- 2.2 (v) assessors regulated pursuant to chapter 270;
- 2.3 (vi) athletic trainers regulated pursuant to chapter 148;
- 2.4 (vii) attorneys regulated pursuant to chapter 481;
- 2.5 (viii) auctioneers regulated pursuant to chapter 330;
- 2.6 (ix) barbers and cosmetologists regulated pursuant to chapter 154;
- 2.7 (x) boiler operators regulated pursuant to chapter ~~183~~ 326B;
- 2.8 (xi) chiropractors regulated pursuant to chapter 148;
- 2.9 (xii) collection agencies regulated pursuant to chapter 332;
- 2.10 (xiii) dentists, registered dental assistants, and dental hygienists regulated pursuant
- 2.11 to chapter 150A;
- 2.12 (xiv) detectives regulated pursuant to chapter 326;
- 2.13 (xv) electricians regulated pursuant to chapter ~~326~~ 326B;
- 2.14 (xvi) mortuary science practitioners regulated pursuant to chapter 149A;
- 2.15 (xvii) engineers regulated pursuant to chapter 326;
- 2.16 (xviii) insurance brokers and salespersons regulated pursuant to chapter 60A;
- 2.17 (xix) certified interior designers regulated pursuant to chapter 326;
- 2.18 (xx) midwives regulated pursuant to chapter 147D;
- 2.19 (xxi) nursing home administrators regulated pursuant to chapter 144A;
- 2.20 (xxii) optometrists regulated pursuant to chapter 148;
- 2.21 (xxiii) osteopathic physicians regulated pursuant to chapter 147;
- 2.22 (xxiv) pharmacists regulated pursuant to chapter 151;
- 2.23 (xxv) physical therapists regulated pursuant to chapter 148;
- 2.24 (xxvi) physician assistants regulated pursuant to chapter 147A;
- 2.25 (xxvii) physicians and surgeons regulated pursuant to chapter 147;
- 2.26 (xxviii) plumbers regulated pursuant to chapter ~~326~~ 326B;
- 2.27 (xxix) podiatrists regulated pursuant to chapter 153;
- 2.28 (xxx) practical nurses regulated pursuant to chapter 148;
- 2.29 (xxxi) professional fund-raisers regulated pursuant to chapter 309;
- 2.30 (xxxii) psychologists regulated pursuant to chapter 148;
- 2.31 (xxxiii) real estate brokers, salespersons, and others regulated pursuant to chapters
- 2.32 82 and 83;
- 2.33 (xxxiv) registered nurses regulated pursuant to chapter 148;
- 2.34 (xxxv) securities brokers, dealers, agents, and investment advisers regulated
- 2.35 pursuant to chapter 80A;
- 2.36 (xxxvi) steamfitters regulated pursuant to chapter ~~326~~ 326B;

- 3.1 (xxxvii) teachers and supervisory and support personnel regulated pursuant to
 3.2 chapter 125;
- 3.3 (xxxviii) veterinarians regulated pursuant to chapter 156;
- 3.4 (xxxix) water conditioning contractors and installers regulated pursuant to chapter
 3.5 ~~326~~ 326B;
- 3.6 (xl) water well contractors regulated pursuant to chapter 103I;
- 3.7 (xli) water and waste treatment operators regulated pursuant to chapter 115;
- 3.8 (xlii) motor carriers regulated pursuant to chapter 221;
- 3.9 (xliii) professional firms regulated under chapter 319B;
- 3.10 (xliv) real estate appraisers regulated pursuant to chapter 82B;
- 3.11 (xlv) residential building contractors, residential remodelers, residential roofers,
 3.12 manufactured home installers, and specialty contractors regulated pursuant to chapter
 3.13 ~~326~~ 326B;
- 3.14 (xlvi) licensed professional counselors regulated pursuant to chapter 148B;
- 3.15 (4) any driver's license required pursuant to chapter 171;
- 3.16 (5) any aircraft license required pursuant to chapter 360;
- 3.17 (6) any watercraft license required pursuant to chapter 86B;
- 3.18 (7) any license, permit, registration, certification, or other approval pertaining to a
 3.19 regulatory or management program related to the protection, conservation, or use of or
 3.20 interference with the resources of land, air, or water, which is required to be obtained
 3.21 from a state agency or instrumentality; and
- 3.22 (8) any pollution control rule or standard established by the Pollution Control
 3.23 Agency or any health rule or standard established by the commissioner of health or any
 3.24 licensing rule or standard established by the commissioner of human services.

3.25 Sec. 2. Minnesota Statutes 2012, section 326B.082, subdivision 11, is amended to read:

3.26 Subd. 11. **Licensing orders; grounds; reapplication.** (a) The commissioner may
 3.27 deny an application for a permit, license, registration, or certificate if the applicant does
 3.28 not meet or fails to maintain the minimum qualifications for holding the permit, license,
 3.29 registration, or certificate, or has any unresolved violations or unpaid fees or monetary
 3.30 penalties related to the activity for which the permit, license, registration, or certificate has
 3.31 been applied for or was issued.

3.32 (b) The commissioner may deny, suspend, limit, place conditions on, or revoke a
 3.33 person's permit, license, registration, or certificate, or censure the person holding the
 3.34 permit, license, registration, or certificate, if the commissioner finds that the person:

3.35 (1) committed one or more violations of the applicable law;

4.1 (2) submitted false or misleading information to the state in connection with
 4.2 activities for which the permit, license, registration, or certificate was issued, or in
 4.3 connection with the application for the permit, license, registration, or certificate;

4.4 (3) allowed the alteration or use of the person's own permit, license, registration,
 4.5 or certificate by another person;

4.6 (4) within the previous five years, was convicted of a crime in connection with
 4.7 activities for which the permit, license, registration, or certificate was issued;

4.8 (5) violated: (i) a final administrative order issued under subdivision 7 or, (ii) a final
 4.9 stop order issued under subdivision 10, or (iii) injunctive relief issued under subdivision 9,
 4.10 or (iv) a consent order or final order of the commissioner;

4.11 (6) failed to cooperate with a commissioner's request to give testimony, to produce
 4.12 documents, things, apparatus, devices, equipment, or materials, or to access property
 4.13 under subdivision 2;

4.14 (7) retaliated in any manner against any employee or person who is questioned by,
 4.15 cooperates with, or provides information to the commissioner or an employee or agent
 4.16 authorized by the commissioner who seeks access to property or things under subdivision 2;

4.17 (8) engaged in any fraudulent, deceptive, or dishonest act or practice; or

4.18 (9) performed work in connection with the permit, license, registration, or
 4.19 certificate or conducted the person's affairs in a manner that demonstrates incompetence,
 4.20 untrustworthiness, or financial irresponsibility.

4.21 (c) If the commissioner revokes or denies a person's permit, license, registration,
 4.22 or certificate under paragraph (b), the person is prohibited from reapplying for the same
 4.23 type of permit, license, registration, or certificate for at least two years after the effective
 4.24 date of the revocation or denial. The commissioner may, as a condition of reapplication,
 4.25 require the person to obtain a bond or comply with additional reasonable conditions the
 4.26 commissioner considers necessary to protect the public.

4.27 (d) If a permit, license, registration, or certificate expires, or is surrendered,
 4.28 withdrawn, or terminated, or otherwise becomes ineffective, the commissioner may
 4.29 institute a proceeding under this subdivision within two years after the permit, license,
 4.30 registration, or certificate was last effective and enter a revocation or suspension order as
 4.31 of the last date on which the permit, license, registration, or certificate was in effect.

4.32 Sec. 3. Minnesota Statutes 2012, section 326B.093, subdivision 4, is amended to read:

4.33 Subd. 4. **Examination results.** If the applicant receives a passing score on the
 4.34 examination and meets all other requirements for licensure, the commissioner must
 4.35 approve the application and notify the applicant of the approval within 60 days of the

5.1 date of the passing score. The applicant must, within ~~90~~ 180 days after the notification
 5.2 of approval, pay the license fee. Upon receipt of the license fee, the commissioner must
 5.3 issue the license. If the applicant does not pay the license fee within ~~90~~ 180 days after
 5.4 the notification of approval, the commissioner will rescind the approval and must deny
 5.5 the application. If the applicant does not receive a passing score on the examination,
 5.6 the commissioner must deny the application. If the application is denied because of the
 5.7 applicant's failure to receive a passing score on the examination, then the applicant cannot
 5.8 submit a new application for the license until at least 30 days after the notification of denial.

5.9 Sec. 4. Minnesota Statutes 2012, section 326B.101, is amended to read:

5.10 **326B.101 POLICY AND PURPOSE.**

5.11 The State Building Code governs the construction, reconstruction, alteration, ~~and~~
 5.12 repair, and use of buildings and other structures to which the code is applicable. The
 5.13 commissioner shall administer and amend a state code of building construction which will
 5.14 provide basic and uniform performance standards, establish reasonable safeguards for
 5.15 health, safety, welfare, comfort, and security of the residents of this state and provide for
 5.16 the use of modern methods, devices, materials, and techniques which will in part tend to
 5.17 lower construction costs. The construction of buildings should be permitted at the least
 5.18 possible cost consistent with recognized standards of health and safety.

5.19 Sec. 5. Minnesota Statutes 2012, section 326B.103, subdivision 11, is amended to read:

5.20 Subd. 11. **Public building.** "Public building" means a building and its grounds the
 5.21 cost of which is paid for by the state or a state agency regardless of its cost, and a school
 5.22 district building project or charter school building project the cost of which is \$100,000
 5.23 or more.

5.24 Sec. 6. Minnesota Statutes 2012, section 326B.121, subdivision 1, is amended to read:

5.25 Subdivision 1. **Application.** (a) The State Building Code is the standard that applies
 5.26 statewide for the construction, reconstruction, alteration, ~~and~~ repair, and use of buildings
 5.27 and other structures of the type governed by the code.

5.28 (b) The State Building Code supersedes the building code of any municipality.

5.29 (c) The State Building Code does not apply to agricultural buildings except:

5.30 (1) with respect to state inspections required or rulemaking authorized by sections
 5.31 103F.141; 216C.19, subdivision 9; and 326B.36; and

5.32 (2) translucent panels or other skylights without raised curbs shall be supported to
 5.33 have equivalent load-bearing capacity as the surrounding roof.

6.1 Sec. 7. Minnesota Statutes 2012, section 326B.31, is amended by adding a subdivision
6.2 to read:

6.3 Subd. 26a. **Request for inspection.** "Request for inspection" means the application
6.4 for and issuance of a permit for an electrical installation that is required to be inspected
6.5 under section 326B.36.

6.6 Sec. 8. Minnesota Statutes 2012, section 326B.43, subdivision 2, is amended to read:

6.7 Subd. 2. **Agreement with municipality.** The commissioner may enter into an
6.8 agreement with a municipality, in which the municipality agrees to perform plan and
6.9 specification reviews required to be performed by the commissioner under Minnesota
6.10 Rules, part 4715.3130, if:

6.11 (a) the municipality has adopted:

6.12 (1) the plumbing code;

6.13 (2) an ordinance that requires plumbing plans and specifications to be submitted to,
6.14 reviewed, and approved by the municipality, except as provided in paragraph (n);

6.15 (3) an ordinance that authorizes the municipality to perform inspections required by
6.16 the plumbing code; and

6.17 (4) an ordinance that authorizes the municipality to enforce the plumbing code in its
6.18 entirety, except as provided in paragraph (p);

6.19 (b) the municipality agrees to review plumbing plans and specifications for all
6.20 construction for which the plumbing code requires the review of plumbing plans and
6.21 specifications, except as provided in paragraph (n);

6.22 (c) the municipality agrees that, when it reviews plumbing plans and specifications
6.23 under paragraph (b), the review will:

6.24 (1) reflect the degree to which the plans and specifications affect the public health
6.25 and conform to the provisions of the plumbing code;

6.26 (2) ensure that there is no physical connection between water supply systems that
6.27 are safe for domestic use and those that are unsafe for domestic use; and

6.28 (3) ensure that there is no apparatus through which unsafe water may be discharged
6.29 or drawn into a safe water supply system;

6.30 (d) the municipality agrees to perform all inspections required by the plumbing
6.31 code in connection with projects for which the municipality reviews plumbing plans and
6.32 specifications under paragraph (b);

6.33 (e) the commissioner determines that the individuals who will conduct the inspections
6.34 and the plumbing plan and specification reviews for the municipality do not have any
6.35 conflict of interest in conducting the inspections and the plan and specification reviews;

7.1 (f) individuals who will conduct the plumbing plan and specification reviews for
7.2 the municipality are:

7.3 (1) licensed master plumbers;

7.4 (2) licensed professional engineers; or

7.5 (3) individuals who are working under the supervision of a licensed professional
7.6 engineer or licensed master plumber and who are licensed master or journeyman plumbers
7.7 or hold a postsecondary degree in engineering;

7.8 (g) individuals who will conduct the plumbing plan and specification reviews for
7.9 the municipality have passed a competency assessment required by the commissioner to
7.10 assess the individual's competency at reviewing plumbing plans and specifications;

7.11 (h) individuals who will conduct the plumbing inspections for the municipality
7.12 are licensed master or journeyman plumbers, or inspectors meeting the competency
7.13 requirements established in rules adopted under section 326B.135;

7.14 (i) the municipality agrees to enforce in its entirety the plumbing code on all
7.15 projects, except as provided in paragraph (p);

7.16 (j) the municipality agrees to keep official records of all documents received,
7.17 including plans, specifications, surveys, and plot plans, and of all plan reviews, permits
7.18 and certificates issued, reports of inspections, and notices issued in connection with
7.19 plumbing inspections and the review of plumbing plans and specifications;

7.20 (k) the municipality agrees to maintain the records described in paragraph (j) in the
7.21 official records of the municipality for the period required for the retention of public
7.22 records under section 138.17, and shall make these records readily available for review at
7.23 the request of the commissioner;

7.24 (l) the municipality and the commissioner agree that if at any time during the
7.25 agreement the municipality does not have in effect the plumbing code or any of ordinances
7.26 described in paragraph (a), or if the commissioner determines that the municipality is not
7.27 properly administering and enforcing the plumbing code or is otherwise not complying
7.28 with the agreement:

7.29 (1) the commissioner may, effective 14 days after the municipality's receipt of
7.30 written notice, terminate the agreement;

7.31 (2) the municipality may challenge the termination in a contested case before the
7.32 commissioner pursuant to the Administrative Procedure Act; and

7.33 (3) while any challenge is pending under clause (2), the commissioner shall perform
7.34 plan and specification reviews within the municipality under Minnesota Rules, part
7.35 4715.3130;

8.1 (m) the municipality and the commissioner agree that the municipality may terminate
8.2 the agreement with or without cause on 90 days' written notice to the commissioner;

8.3 (n) the municipality and the commissioner agree that the municipality shall forward
8.4 to the state for review all plumbing plans and specifications for the following types of
8.5 projects within the municipality:

8.6 (1) ~~hospitals, nursing homes, supervised living facilities licensed for eight or~~
8.7 ~~more individuals, and similar health-care-related facilities regulated by the Minnesota~~
8.8 ~~Department of Health~~ state-licensed facilities as defined in section 326B.103, subdivision
8.9 13;

8.10 (2) ~~buildings owned by the federal or state government~~ public buildings as defined
8.11 in section 326B.103, subdivision 11; and

8.12 (3) projects of a special nature for which department review is requested by either
8.13 the municipality or the state;

8.14 (o) where the municipality forwards to the state for review plumbing plans and
8.15 specifications, as provided in paragraph (n), the municipality shall not collect any fee for
8.16 plan review, and the commissioner shall collect all applicable fees for plan review; and

8.17 (p) no municipality shall revoke, suspend, or place restrictions on any plumbing
8.18 license issued by the state.

8.19 Sec. 9. Minnesota Statutes 2012, section 326B.89, subdivision 1, is amended to read:

8.20 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms
8.21 have the meanings given them.

8.22 (b) "Gross annual receipts" means the total amount derived from residential
8.23 contracting or residential remodeling activities, regardless of where the activities are
8.24 performed, and must not be reduced by costs of goods sold, expenses, losses, or any
8.25 other amount.

8.26 (c) "Licensee" means a person licensed as a residential contractor or residential
8.27 remodeler.

8.28 (d) "Residential real estate" means a new or existing building constructed for
8.29 habitation by one to four families, and includes detached garages.

8.30 (e) "Fund" means the contractor recovery fund.

8.31 (f) "Owner" when used in connection with real property, means ~~a person~~ an
8.32 individual who has any legal or equitable interest in real property ~~and includes~~ or
8.33 a condominium or townhome association that owns common property located in a
8.34 condominium building or townhome building or an associated detached garage. Owner
8.35 does not include any real estate developer or any other legal or commercial entity.

9.1 Sec. 10. **REPEALER.**

9.2 Minnesota Statutes 2012, section 326B.978, subdivision 4, is repealed.

9.3 **ARTICLE 2**

9.4 **COMBATIVE SPORTS**

9.5 Section 1. Minnesota Statutes 2012, section 326B.081, subdivision 3, is amended to
9.6 read:

9.7 Subd. 3. **Applicable law.** "Applicable law" means the provisions of sections
9.8 181.723, 325E.66, 327.31 to 327.36, ~~and this chapter, and chapter 341,~~ and all rules,
9.9 orders, stipulation agreements, settlements, compliance agreements, licenses, registrations,
9.10 certificates, and permits adopted, issued, or enforced by the department under sections
9.11 181.723, 325E.66, 327.31 to 327.36, ~~or this chapter, or chapter 341.~~

9.12 Sec. 2. Minnesota Statutes 2012, section 341.21, subdivision 3a, is amended to read:

9.13 Subd. 3a. **Commissioner.** "Commissioner" means the commissioner of labor
9.14 and industry or a duly designated representative of the commissioner who is either an
9.15 employee of the Department of Labor and Industry or a person working under contract
9.16 with the department.

9.17 Sec. 3. Minnesota Statutes 2012, section 341.221, is amended to read:

9.18 **341.221 ADVISORY COUNCIL.**

9.19 (a) The commissioner must appoint a Combative Sports Advisory Council to advise
9.20 the commissioner on the administration of duties under this chapter.

9.21 (b) The council shall have nine members appointed by the commissioner. One
9.22 member must be a retired judge of the Minnesota District Court, Minnesota Court of
9.23 Appeals, Minnesota Supreme Court, the United States District Court for the District of
9.24 Minnesota, or the Eighth Circuit Court of Appeals. At least four members must have
9.25 knowledge of the boxing industry. At least four members must have knowledge of the
9.26 mixed martial arts industry. The commissioner shall make serious efforts to appoint
9.27 qualified women to serve on the council.

9.28 (c) Council members shall serve terms of four years with the terms ending on the
9.29 first Monday in January.

9.30 (d) The council shall annually elect from its membership a chair.

10.1 (e) ~~The commissioner shall convene the first meeting of the council by July 1, 2012.~~
 10.2 ~~The council shall elect a chair at its first meeting. Thereafter, Meetings shall be convened~~
 10.3 ~~by the commissioner, or by the chair with the approval of the commissioner.~~

10.4 (f) ~~For the first appointments to the council, the commissioner shall appoint the~~
 10.5 ~~members currently serving on the Combative Sports Commission established under~~
 10.6 ~~section 341.22, to the council.~~ The commissioner shall designate two of the members to
 10.7 serve until the first Monday in January 2013; two members to serve until the first Monday
 10.8 in January 2014; two members to serve until the first Monday in January 2015; and three
 10.9 members to serve until the first Monday in January 2016.

10.10 (g) Removal of members, filling of vacancies, and compensation of members shall
 10.11 be as provided in section 15.059.

10.12 Sec. 4. Minnesota Statutes 2012, section 341.27, is amended to read:

10.13 **341.27 COMMISSIONER DUTIES.**

10.14 The commissioner shall:

10.15 (1) issue, deny, renew, suspend, or revoke licenses;

10.16 (2) make and maintain records of its acts and proceedings including the issuance,
 10.17 denial, renewal, suspension, or revocation of licenses;

10.18 (3) keep public records of the council open to inspection at all reasonable times;

10.19 (4) develop rules to be implemented under this chapter;

10.20 (5) conform to the rules adopted under this chapter;

10.21 (6) develop policies and procedures for regulating boxing and mixed martial arts; ~~and~~

10.22 (7) immediately suspend an individual license for a medical condition, including but
 10.23 not limited to a medical condition resulting from an injury sustained during a match, bout,
 10.24 or contest that has been confirmed by the ringside physician. The medical suspension must
 10.25 be lifted after the commissioner receives written information from a physician licensed in
 10.26 the home state of the licensee indicating that the combatant may resume competition, and
 10.27 any other information that the commissioner may by rule require. Medical suspensions
 10.28 are not subject to section ~~214.10~~, 326B.082 or the contested case procedures provided
 10.29 in sections 14.57 to 14.69; and

10.30 (8) immediately suspend an individual combatant license for a mandatory rest period,
 10.31 which must commence at the conclusion of every combative sports contest in which the
 10.32 license holder competes and does not receive a medical suspension. A rest suspension
 10.33 must automatically lift after seven calendar days from the date the combative sports
 10.34 contest passed without notice or additional proceedings. Rest suspensions are not subject
 10.35 to section 326B.082 or the contested case procedures provided in sections 14.57 to 14.69.

11.1 Sec. 5. Minnesota Statutes 2012, section 341.29, is amended to read:

11.2 **341.29 JURISDICTION OF COMMISSIONER.**

11.3 The commissioner shall:

11.4 (1) have sole direction, supervision, regulation, control, and jurisdiction over all
11.5 combative sport contests that are held within this state unless a contest is exempt from the
11.6 application of this chapter under federal law;

11.7 (2) have sole control, authority, and jurisdiction over all licenses required by this
11.8 chapter; ~~and~~

11.9 (3) grant a license to an applicant if, in the judgment of the commissioner, the
11.10 financial responsibility, experience, character, and general fitness of the applicant are
11.11 consistent with the public interest, convenience, or necessity and the best interests of
11.12 combative sports and conforms with this chapter and the commissioner's rules; and

11.13 (4) deny, suspend, or revoke a license using the enforcement provisions of section
11.14 326B.082.

11.15 Sec. 6. Minnesota Statutes 2012, section 341.30, subdivision 4, is amended to read:

11.16 Subd. 4. **Prelicensure requirements.** (a) Before the commissioner issues a license
11.17 to a promoter, corporation, or other business entity, the applicant shall:

11.18 (1) provide the commissioner with a copy of any agreement between a combatant
11.19 and the applicant that binds the applicant to pay the combatant a certain fixed fee or
11.20 percentage of the gate receipts;

11.21 (2) show on the application the owner or owners of the applicant entity and the
11.22 percentage of interest held by each owner holding a 25 percent or more interest in the
11.23 applicant;

11.24 (3) provide the commissioner with a copy of the latest financial statement of the
11.25 entity; and

11.26 (4) provide the commissioner with a copy or other proof acceptable to the
11.27 commissioner of the insurance contract or policy required by this chapter.

11.28 (b) Before the commissioner issues a license to a promoter, the applicant shall
11.29 deposit with the commissioner a cash bond or surety bond in an amount set by the
11.30 commissioner, which must not be less than \$10,000. The bond shall be executed in favor
11.31 of this state and shall be conditioned on the faithful performance by the promoter of the
11.32 promoter's obligations under this chapter and the rules adopted under it. An applicant for a
11.33 license as a promoter and licensed promoters shall submit an application for each event a
11.34 minimum of six weeks before the combative sport contest is scheduled to occur.

12.1 (c) Before the commissioner issues a license to a combatant, the applicant shall
 12.2 submit to the commissioner:

12.3 (1) a mixed martial arts combatant national identification number or federal boxing
 12.4 identification number that is unique to the applicant, or both; and

12.5 (2) the results of a current medical examination on forms furnished or approved
 12.6 by the commissioner. The medical examination must include an ophthalmological and
 12.7 neurological examination, and documentation of test results for HBV, HCV, and HIV, and
 12.8 any other blood test as the commissioner by rule may require. The ophthalmological
 12.9 examination must be designed to detect any retinal defects or other damage or condition
 12.10 of the eye that could be aggravated by combative sports. The neurological examination
 12.11 must include an electroencephalogram or medically superior test if the combatant has
 12.12 been knocked unconscious in a previous contest. The commissioner may also order an
 12.13 electroencephalogram or other appropriate neurological or physical examination before
 12.14 any contest if it determines that the examination is desirable to protect the health of the
 12.15 combatant. The commissioner shall not issue a license to an applicant submitting positive
 12.16 test results for HBV, HCV, or HIV.

12.17 Sec. 7. Minnesota Statutes 2012, section 341.32, subdivision 2, is amended to read:

12.18 Subd. 2. **Expiration and renewal.** ~~A license issued after July 1, 2007, is valid for~~
 12.19 ~~one year from the date it is issued and~~ Licenses expire annually on December 31, and may
 12.20 be renewed by filing an application for renewal with the commissioner and payment of the
 12.21 license fees established in section 341.321. An application for a license and renewal of a
 12.22 license must be on a form provided by the commissioner. There is a 30-day grace period
 12.23 during which a license may be renewed if a late filing penalty fee equal to the license fee
 12.24 is submitted with the regular license fee. A licensee that files late shall not conduct any
 12.25 activity regulated by this chapter until the commissioner has renewed the license. If the
 12.26 licensee fails to apply to the commissioner within the 30-day grace period, the licensee
 12.27 must apply for a new license under subdivision 1.

12.28 ARTICLE 3

12.29 MANUFACTURED HOMES

12.30 Section 1. Minnesota Statutes 2012, section 327B.04, subdivision 4, is amended to read:

12.31 Subd. 4. **License prerequisites.** No application shall be granted nor license issued
 12.32 until the applicant proves to the commissioner that:

12.33 (a) the applicant has a permanent, established place of business at each licensed
 12.34 location. An "established place of business" means a permanent enclosed building other

13.1 than a residence, or a commercial office space, either owned by the applicant or leased by
13.2 the applicant for a term of at least one year, located in an area where zoning regulations
13.3 allow commercial activity, and where the books, records and files necessary to conduct
13.4 the business are kept and maintained. The owner of a licensed manufactured home park
13.5 who resides in or adjacent to the park may use the residence as the established place of
13.6 business required by this subdivision, unless prohibited by local zoning ordinance.

13.7 If a license is granted, the licensee may use unimproved lots and premises for sale,
13.8 storage, and display of manufactured homes, if the licensee first notifies the commissioner
13.9 in writing;

13.10 (b) if the applicant desires to sell, solicit or advertise the sale of new manufactured
13.11 homes, it has a bona fide contract or franchise in effect with a manufacturer or distributor
13.12 of the new manufactured home it proposes to deal in;

13.13 (c) the applicant has secured: (1) a surety bond in the amount of \$20,000 for each
13.14 agency and each subagency location that bears the applicant's name and the name under
13.15 which the applicant will be licensed and do business in this state. Each bond is for the
13.16 protection of consumer customers, and must be executed by the applicant as principal and
13.17 issued by a surety company admitted to do business in this state. Each bond shall be
13.18 exclusively for the purpose of reimbursing consumer customers and shall be conditioned
13.19 upon the faithful compliance by the applicant with all of the laws and rules of this state
13.20 pertaining to the applicant's business as a dealer or manufacturer, including sections
13.21 325D.44, 325F.67 and 325F.69, and upon the applicant's faithful performance of all its
13.22 legal obligations to consumer customers; and (2) a certificate of liability insurance in
13.23 the amount of \$1,000,000 that provides aggregate coverage for the agency and each
13.24 subagency location. In the event of a policy cancellation, the insurer shall send written
13.25 notice to the commissioner at the same time that a cancellation request is received from
13.26 or a notice is sent to the insured;

13.27 (d) the applicant has established a trust account as required by section 327B.08,
13.28 subdivision 3, unless the applicant states in writing its intention to limit its business to
13.29 selling, offering for sale, soliciting or advertising the sale of new manufactured homes; and

13.30 (e) the applicant has provided evidence of having had at least two years' prior
13.31 experience in the sale of manufactured homes, working for a licensed dealer. The applicant
13.32 does not have to satisfy the two-year prior experience requirement if the applicant:

13.33 (1) has met all other licensing requirements;

13.34 (2) is the owner of a manufactured home park; and

13.35 (3) is selling new manufactured homes installed in the manufactured home park
13.36 that the applicant owns.

APPENDIX
Article locations in S0656-1

ARTICLE 1	CONSTRUCTION CODE AND LICENSING	Page.Ln 1.12
ARTICLE 2	COMBATIVE SPORTS	Page.Ln 9.3
ARTICLE 3	MANUFACTURED HOMES	Page.Ln 12.28

APPENDIX

Repealed Minnesota Statutes: S0656-1

326B.978 EXAMINATIONS; CLASSIFICATIONS; QUALIFICATIONS.

Subd. 4. **Continuing education.** The commissioner may require continuing education prior to the renewal of any license. Before requiring continuing education, the commissioner shall adopt rules that specify the continuing education requirements.