A bill for an act

relating to state government; appropriating money for jobs, economic development, housing, and Minnesota Heritage; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; changing codes and licensing provisions; providing penalties; amending Minnesota Statutes 2008, sections 115C.08, subdivision 4; 116J.8731, subdivisions 2, 3; 154.44, subdivision 1; 326B.33, subdivision 19; 326B.46, subdivision 4; 326B.475, subdivisions 4, 7; 326B.49, subdivision 1; 326B.56, subdivision 4; 326B.58; 326B.815, subdivision 1; 326B.821, subdivision 2; 326B.86, subdivision 1; 326B.885, subdivision 2; 326B.89, subdivisions 3, 16; 326B.94, subdivision 4; 326B.972; 326B.986, subdivisions 2, 5, 8; 327B.04, subdivisions 7, 8, by adding a subdivision; 462A.05, subdivisions 14, 14a; Laws 2007, chapter 135, article 1, section 16; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Rules, part 1350.8300.

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

ARTICLE 1

JOBS, ECONOMIC DEVELOPMENT, HOUSING, AND MINNESOTA HERITAGE APPROPRIATIONS SUMMARY

Section 1. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations, by fund, made in this act.

		2010		2011		Total
General	$	125,040,000	$	121,478,000	$	246,518,000
Workforce Development		18,874,000		19,124,000		37,998,000
Remediation		700,000		700,000		1,400,000
Workers' Compensation		22,574,000		22,574,000		45,148,000
Clean Water		8,125,000		17,250,000		25,375,000
Total	**$**	**175,313,000**	**$**	**181,126,000**	**$**	**356,439,000**

Sec. 2. **JOBS AND ECONOMIC DEVELOPMENT APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. Appropriations for the fiscal year ending June 30, 2009, are effective the day following final enactment.

		APPROPRIATIONS Available for the Year Ending June 30	
		2010	**2011**
Sec. 3. **EMPLOYMENT AND ECONOMIC DEVELOPMENT**			
Subdivision 1. **Total Appropriation**	**$**	**57,415,000** **$**	**57,415,000**

Appropriations by Fund		
	2010	2011
General	38,870,000	38,870,000
Workforce Development	17,845,000	17,845,000
Remediation	700,000	700,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

	2010	2011
Subd. 2. **Business and Community Development**	7,526,000	7,526,000

Appropriations by Fund		
General	6,826,000	6,826,000
Remediation	700,000	700,000

(a) $700,000 the first year and $700,000 the second year are from the remediation fund for contaminated site cleanup and development grants under Minnesota Statutes, section 116J.554. This appropriation is available until expended.

(b) $175,000 the first year and $175,000 the second year are from the general fund for a grant to Women Venture for women's business development programs.

(c) $105,000 the first year and $105,000 the second year are from the general fund for a grant to the Metropolitan Economic Development Association for continuing minority business development programs in the metropolitan area.

(d) $100,000 the first year and $100,000 the second year are from the general fund for a grant to the BioBusiness Alliance of Minnesota for bioscience business development programs to promote and position the state as a global leader in bioscience business activities. This is a onetime appropriation.

Subd. 3. **Workforce Development**	47,443,000	47,443,000

Appropriations by Fund

General	29,598,000	29,598,000
Workforce Development	17,845,000	17,845,000

(a) $4,562,000 the first year and $4,562,000 the second year are from the general fund for the Minnesota job skills partnership program under Minnesota Statutes, sections 116L.01 to 116L.17. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. This appropriation is available until expended.

(b) $8,800,000 the first year and $8,800,000 the second year are from the general fund for the state's vocational rehabilitation program under Minnesota Statutes, chapter 268A.

(c) $5,986,000 the first year and $5,986,000 the second year are from the general fund for the state services for the blind activities.

(d) $2,380,000 the first year and $2,380,000 the second year are from the general fund for grants to centers for independent living under Minnesota Statutes, section 268A.11.

(e) $350,000 the first year and $350,000 the second year are from the general fund for a grant under Minnesota Statutes, section 116J.8747, to Twin Cities RISE! to provide training to hard-to-train individuals.

(f) $150,000 the first year and $150,000 the second year are from the general fund for a grant to Northern Connections in Perham to implement and operate a pilot workforce program that provides one-stop supportive services to individuals as they transition into the workforce.

(g) $150,000 the first year and $150,000 the second year are from the general fund for a grant to Advocating Change Together for training, technical assistance, and resource materials for persons with developmental and mental illness disabilities.

(h) $5,412,000 each year is from the general fund and $6,830,000 each year is from the workforce development fund for extended employment services for persons with severe disabilities or related conditions under Minnesota Statutes, section 268A.15. Of the general fund appropriation, $125,000 each year is to supplement funds paid for wage incentives for the community support fund established in Minnesota Rules, part 3300.2045.

(i) $1,613,000 the first year and $1,613,000 the second year are from the general fund for grants to programs that provide employment support services to persons with mental illness under Minnesota Statutes, sections 268A.13 and 268A.14. Up to $77,000 each year may be used for administrative expenses.

(j) $145,000 each year is from the general fund and $175,000 each year is from the workforce development fund for a grant under Minnesota Statutes, section 268A.03, to Rise, Inc. for the Minnesota Employment Center for People Who are Deaf or Hard-of-Hearing. Money not expended the first year is available the second year.

(k) $50,000 each year is from the general fund and $250,000 each year is from the workforce development fund for a grant to Lifetrack Resources for its immigrant and refugee collaborative program, including those related to job-seeking skills and workplace orientation, intensive job development, functional work English, and on-site job coaching.

(l) $3,000,000 the first year and $3,000,000 the second year are from the workforce development fund to provide reemployment services to unemployed workers and universal job seekers.

(m) $3,500,000 the first year and $3,500,000 the second year are from the workforce development fund for the Minnesota youth program under Minnesota Statutes, sections 116L.56 and 116L.561.

(n) $1,250,000 the first year and $1,250,000 the second year are from the workforce development fund for the Opportunities Industrialization Center programs.

(o) $1,000,000 the first year and $1,000,000 the second year are from the workforce development fund for grants for the Minneapolis summer youth employment program. The grants shall be used to fund up to 500 jobs for youth each summer. Of this appropriation, $250,000 each year is for a grant to the learn-to-earn summer youth employment program. The commissioner shall establish criteria for awarding the grants. This appropriation is available in either year of the biennium and is available until spent.

(p) $500,000 the first year and $500,000 the second year are from the workforce development fund for grants to fund summer youth employment in St. Paul. The grants shall be used to fund up to 500 jobs for youth each summer. The commissioner shall establish criteria for awarding the grants. This appropriation is available in either year of the biennium and is available until spent.

(q) $1,000,000 the first year and $1,000,000 the second year are from the workforce development fund for the youthbuild program under Minnesota Statutes, section 116L.361 to 116L.366.

(r) $340,000 the first year and $340,000 the second year are from the workforce development fund for grants to provide interpreters for a regional transition program that specializes in providing culturally appropriate transition services leading to employment for deaf, hard-of-hearing, and deaf-blind students.

(s) The first $1,450,000 deposited in each year of the biennium into the contingent account created under Minnesota Statutes, section 268.196, subdivision 3, shall be transferred before the closing of each fiscal year to the workforce development fund created under Minnesota Statutes, section 116L.20. Deposits in excess of $1,450,000 shall be transferred before the closing of each fiscal year to the general fund.

Subd. 4. **State-Funded Administration**	2,446,000	2,446,000

Subd. 5. **Transfer**

On or before June 30, 2009, the commissioner shall transfer to the general fund $800,000 from the amount appropriated by Laws 2008, chapter 358, article 5, section 4, subdivision 3, for Section 125 employer incentives.

Sec. 4. **PUBLIC FACILITIES AUTHORITY**	**$ 8,225,000**	**$ 17,350,000**

Appropriations by Fund		
Clean Water Fund	8,125,000	17,250,000
General Fund	100,000	100,000

(a) $5,000,000 the first year and $10,000,000 the second year are for the total maximum daily load grant program under Minnesota Statutes, section 446A.073. This appropriation is available until spent.

(b) $2,500,000 the first year and $5,000,000 the second year are for the clean water legacy phosphorus reduction grant program under Minnesota Statutes, section 446A.074. This appropriation is available until spent.

(c) $125,000 the first year and $250,000 the second year are for the small community wastewater treatment program for technical assistance grants under Minnesota Statutes, section 446A.075. This appropriation is available until spent.

(d) $500,000 the first year and $2,000,000 the second year are for the small community wastewater treatment program for construction loans and grants under Minnesota Statutes, section 446A.075. This appropriation is available until spent.

(e) $100,000 the first year and $100,000 the second year are for the small community wastewater treatment program under Minnesota Statutes, chapter 446A. This appropriation is available until spent.

Sec. 5. **EXPLORE MINNESOTA TOURISM** **$ 9,988,000** **$ 9,988,000**

(a) To develop maximum private sector involvement in tourism, $500,000 the first year and $500,000 the second year must be matched by Explore Minnesota Tourism from nonstate sources. Each $1 of state incentive must be matched with $3 of private sector funding. Cash match is defined as revenue to the state or documented cash expenditures directly expended to support Explore Minnesota Tourism programs. Up to one-half of the private sector contribution may be in-kind or soft match. The incentive in the first year shall be based on fiscal year 2009 private sector contributions. The incentive in the second year will be based on fiscal year 2010 private sector contributions. This incentive is ongoing.

Funding for the marketing grants is available either year of the biennium. Unexpended grant funds from the first year are available in the second year.

Unexpended money from the general fund appropriations made under this section does not cancel but must be placed in a special marketing account for use by Explore Minnesota Tourism for additional marketing activities.

(b) $325,000 the first year and $325,000 the second year are for the Minnesota Film and TV Board. The appropriation in each year is available only upon receipt by the board of $1 in matching contributions of money or in-kind contributions from nonstate sources for every $3 provided by this appropriation.

(c) $552,000 the first year and $552,000 the second year are appropriated for a grant to the Minnesota Film and TV Board for the film jobs production program under Minnesota Statutes, section 116U.26. These appropriations are available in either year of the biennium and are available until expended.

Sec. 6. **HOUSING FINANCE AGENCY**

Subdivision 1. **Total Appropriation**	**$ 42,710,000**	**$ 42,710,000**

The amounts that may be spent for each purpose are specified in the following subdivisions.

This appropriation is for transfer to the housing development fund for the programs specified. Except as otherwise indicated, this transfer is part of the agency's permanent budget base.

Subd. 2. **Challenge Program**	6,769,000	6,769,000

For the economic development and housing challenge program under Minnesota Statutes, section 462A.33. Of this amount, $1,395,000 each year shall be made available during the first eight months of the fiscal year exclusively for housing projects for American Indians. Any funds not committed to housing projects for American Indians in the first eight months of the fiscal year shall be available for any eligible activity under Minnesota Statutes, section 462A.33.

Subd. 3. **Housing Trust Fund**	10,555,000	10,555,000

For deposit in the housing trust fund account created under Minnesota Statutes, section 462A.201, and used for the purposes provided in that section.

Subd. 4. **Rental Assistance for Mentally Ill**	2,638,000	2,638,000

For a rental housing assistance program for persons with a mental illness or families with an adult member with a mental illness under Minnesota Statutes, section 462A.2097.

Subd. 5. **Family Homeless Prevention**	7,465,000	7,465,000

For the family homeless prevention and assistance programs under Minnesota Statutes, section 462A.204.

Subd. 6. **Home Ownership Assistance Fund**	885,000	885,000

For the home ownership assistance program under Minnesota Statutes, section 462A.21, subdivision 8.

Subd. 7. **Affordable Rental Investment Fund**	8,996,000	8,996,000

For the affordable rental investment fund program under Minnesota Statutes, section 462A.21, subdivision 8b. The appropriation is to finance the acquisition, rehabilitation, and debt restructuring of federally assisted rental property and for making equity take-out loans under Minnesota Statutes, section 462A.05, subdivision 39.

The owner of federally assisted rental property must agree to participate in the applicable federally assisted housing program and to extend any existing low-income affordability restrictions on the housing for the maximum term permitted. The owner must also enter into an agreement that gives local units of government, housing and redevelopment authorities, and nonprofit housing organizations the right of first refusal if the rental property is offered for sale. Priority must be given among comparable federally assisted rental properties to properties with the longest remaining term under an agreement for federal assistance. Priority must also be given among comparable rental housing developments to developments that are or will be owned by local government units, a housing and redevelopment authority, or a nonprofit housing organization.

The appropriation also may be used to finance the acquisition, rehabilitation, and debt restructuring of existing supportive housing properties. For purposes of this subdivision, "supportive housing" means affordable rental housing with links to services necessary for individuals, youth, and families with children to maintain housing stability.

Subd. 8. **Housing Rehabilitation**	4,287,000	4,287,000

For the housing rehabilitation program under Minnesota Statutes, section 462A.05, subdivision 14, for rental housing developments.

Subd. 9. **Homeownership Education, Counseling, and Training**	865,000	865,000

For the homeownership education, counseling, and training program under Minnesota Statutes, section 462A.209.

Subd. 10. **Capacity Building Grants**	250,000	250,000

For nonprofit capacity building grants under Minnesota Statutes, section 462A.21, subdivision 3b.

Subd. 11. **Transfer of Disaster Relief Contingency Funds**

$1,500,000 of the amount unobligated and unencumbered in the disaster relief contingency fund under Minnesota Statutes, section 462A.21, subdivision 29, is transferred to the housing trust fund under Minnesota Statutes, section 462A.201, for grants for temporary rental assistance for families with children who are homeless and in need of or utilizing an emergency shelter facility. This is a onetime transfer and is not added to the agency's permanent budget base.

Sec. 7. **LABOR AND INDUSTRY**

Subdivision 1. **Total Appropriation**	**$**	**22,780,000** **$**	**23,030,000**

Appropriations by Fund

	2010	2011
General	880,000	880,000
Workers' Compensation	20,871,000	20,871,000
Workforce Development	1,029,000	1,279,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Workers' Compensation**	14,890,000	14,890,000

This appropriation is from the workers' compensation fund.

Subd. 3. **Labor Standards and Apprenticeship**	1,909,000	2,159,000

Appropriations by Fund

General	880,000	880,000
Workforce Development	1,029,000	1,279,000

The appropriation from the workforce development fund is for the apprenticeship program under Minnesota Statutes, chapter 178, and includes $100,000 each year for labor education and advancement program grants.

The appropriation from the workforce development fund is for the apprenticeship program under Minnesota Statutes, chapter 178, and includes $250,000 in fiscal year 2010 and $500,000 thereafter to expand and promote registered apprenticeship training in nonconstruction trade programs.

Subd. 4. **General Support**	5,981,000	5,981,000

This appropriation is from the workers' compensation fund.

Sec. 8. **BUREAU OF MEDIATION SERVICES**				
Subdivision 1. **Total Appropriation**	**$**	**1,683,000**	**$**	**1,683,000**
The amounts that may be spent for each purpose are specified in the following subdivisions.				
Subd. 2. **Mediation Services**		1,583,000		1,583,000
Subd. 3. **Labor Management Cooperation Grants**		100,000		100,000
$100,000 the first year and $100,000 the second year are for grants to area labor-management committees. Grants may be awarded for a 12-month period beginning July 1 of each year. Any unencumbered balance remaining at the end of the first year does not cancel but is available for the second year.				
Sec. 9. **WORKERS' COMPENSATION COURT OF APPEALS**	**$**	**1,703,000**	**$**	**1,703,000**
This appropriation is from the workers' compensation fund.				
Sec. 10. **MINNESOTA HISTORICAL SOCIETY**				
Subdivision 1. **Total Appropriation**	**$**	**21,758,000**	**$**	**21,642,000**
The amounts that may be spent for each purpose are specified in the following subdivisions.				
Subd. 2. **Education and Outreach**		12,281,000		12,271,000
Subd. 3. **Preservation and Access**		9,233,000		9,225,000
Subd. 4. **Fiscal Agent**				
(a) Minnesota International Center		37,000		37,000
(b) Minnesota Air National Guard Museum		13,000		0

(c) Minnesota Military Museum		85,000		0
(d) Farmamerica		109,000		109,000
(e) Balances Forward				

Any unencumbered balance remaining in this subdivision the first year does not cancel but is available for the second year of the biennium.

Subd. 5. **Fund Transfer**

The Minnesota Historical Society may reallocate funds appropriated in and between subdivisions 2 and 3 for any program purposes and the appropriations are available in either year of the biennium.

Sec. 11. **BOARD OF THE ARTS**

Subdivision 1. **Total Appropriation**	**$**	**6,892,000**	**$**	**3,446,000**

It is the intent of the legislature that the base for fiscal year 2012 and thereafter be $0.

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Operations and Services**		422,000		192,000
Subd. 3. **Grants Program**		4,494,000		2,261,000
Subd. 4. **Regional Arts Councils**		1,976,000		993,000
Sec. 12. **BOARD OF ACCOUNTANCY**	**$**	**505,000**	**$**	**505,000**
Sec. 13. **BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEOSCIENCE, AND INTERIOR DESIGN**	**$**	**815,000**	**$**	**815,000**
Sec. 14. **BOARD OF BARBER AND COSMETOLOGIST EXAMINERS**	**$**	**839,000**	**$**	**839,000**

ARTICLE 2
EMPLOYMENT AND DEVELOPMENT-RELATED PROVISIONS

Section 1. Minnesota Statutes 2008, section 115C.08, subdivision 4, is amended to read:

Subd. 4. **Expenditures.** (a) Money in the fund may only be spent:

(1) to administer the petroleum tank release cleanup program established in this chapter;

(2) for agency administrative costs under sections 116.46 to 116.50, sections 115C.03 to 115C.06, and costs of corrective action taken by the agency under section 115C.03, including investigations;

(3) for costs of recovering expenses of corrective actions under section 115C.04;

(4) for training, certification, and rulemaking under sections 116.46 to 116.50;

(5) for agency administrative costs of enforcing rules governing the construction, installation, operation, and closure of aboveground and underground petroleum storage tanks;

(6) for reimbursement of the environmental response, compensation, and compliance account under subdivision 5 and section 115B.26, subdivision 4;

(7) for administrative and staff costs as set by the board to administer the petroleum tank release program established in this chapter;

(8) for corrective action performance audits under section 115C.093;

(9) for contamination cleanup grants, as provided in paragraph (c); and

(10) to assess and remove abandoned underground storage tanks under section 115C.094 and, if a release is discovered, to pay for the specific consultant and contractor services costs necessary to complete the tank removal project, including, but not limited to, excavation soil sampling, groundwater sampling, soil disposal, and completion of an excavation report.

(b) Except as provided in paragraph (c), money in the fund is appropriated to the board to make reimbursements or payments under this section.

(c) $6,200,000 is annually appropriated from the fund to the commissioner of employment and economic development for contamination cleanup grants under section 116J.554. Of this amount, the commissioner may spend up to ~~$180,000~~ $225,000 annually for administration of the contamination cleanup grant program. The appropriation does not cancel and is available until expended. The appropriation shall not be withdrawn from the fund nor the fund balance reduced until the funds are requested by the commissioner of employment and economic development. The commissioner shall schedule requests for withdrawals from the fund to minimize the necessity to impose the fee authorized by subdivision 2. Unless otherwise provided, the appropriation in this paragraph may be used for:

(1) project costs at a qualifying site if a portion of the cleanup costs are attributable to petroleum contamination; and

(2) the costs of performing contamination investigation if there is a reasonable basis to suspect the contamination is attributable to petroleum.

Sec. 2. Minnesota Statutes 2008, section 116J.8731, subdivision 2, is amended to read:

Subd. 2. **Administration.** The commissioner shall administer the fund as part of the Small Cities Development Block Grant Program. Funds shall be made available to local communities and recognized Indian tribal governments in accordance with the rules adopted for economic development grants in the small cities community development block grant program, except that all units of general purpose local government are eligible applicants for Minnesota investment funds. The commissioner may also make funds available within the department for eligible expenditures under subdivision 3, clause (2). A home rule charter or statutory city, county, or town may loan or grant money received from repayment of funds awarded under this section to a regional development commission, other regional entity, or statewide community capital fund as determined by the commissioner, to capitalize or to provide the local match required for capitalization of a regional or statewide revolving loan fund.

Sec. 3. Minnesota Statutes 2008, section 116J.8731, subdivision 3, is amended to read:

Subd. 3. **Eligible expenditures.** The money appropriated for this section may be used to ~~provide~~ fund:

(1) grants for infrastructure, loans, loan guarantees, interest buy-downs, and other forms of participation with private sources of financing, provided that a loan to a private enterprise must be for a principal amount not to exceed one-half of the cost of the project for which financing is sought~~.~~; and

(2) strategic investments in renewable energy market development, such as low interest loans for renewable energy equipment manufacturing, training grants to support renewable energy workforce, development of a renewable energy supply chain that represents and strengthens the industry throughout the state, and external marketing to garner more national and international investment into Minnesota's renewable sector. Expenditures in renewable energy market development are not subject to the limitations in clause (1).

ARTICLE 3
HOUSING FINANCE AGENCY

Section 1. Minnesota Statutes 2008, section 462A.05, subdivision 14, is amended to read:

Subd. 14. **Rehabilitation loans.** It may agree to purchase, make, or otherwise participate in the making, and may enter into commitments for the purchase, making, or participation in the making, of eligible loans for rehabilitation, with terms and conditions as the agency deems advisable, to persons and families of low and moderate income, and to owners of existing residential housing for occupancy by such persons and families, for the rehabilitation of existing residential housing owned by them. The loans may be insured or uninsured and may be made with security, or may be unsecured, as the agency deems advisable. The loans may be in addition to or in combination with long-term eligible mortgage loans under subdivision 3. They may be made in amounts sufficient to refinance existing indebtedness secured by the property, if refinancing is determined by the agency to be necessary to permit the owner to meet the owner's housing cost without expending an unreasonable portion of the owner's income thereon. No loan for rehabilitation shall be made unless the agency determines that the loan will be used primarily to make the housing more desirable to live in, to increase the market value of the housing, for compliance with state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing, or to accomplish energy conservation related improvements. In unincorporated areas and municipalities not having codes and standards, the agency may, solely for the purpose of administering the provisions of this chapter, establish codes and standards. Except for accessibility improvements under this subdivision and subdivisions 14a and 24, clause (1), no secured loan for rehabilitation of any owner-occupied property shall be made in an amount which, with all other existing indebtedness secured by the property, would exceed 110 percent of its market value, as determined by the agency. No loan under this subdivision for the rehabilitation of owner-occupied housing shall be denied solely because the loan will not be used for placing the owner-occupied residential housing in full compliance with all state, county, or municipal building, housing maintenance, fire, health, or similar codes and standards applicable to housing. Rehabilitation loans shall be made only when the agency determines that financing is not otherwise available, in whole or in part, from private lenders upon equivalent terms and conditions. Accessibility rehabilitation loans authorized under this subdivision may be made to eligible persons and families without limitations relating to the maximum incomes of the borrowers if:

(1) the borrower or a member of the borrower's family requires a level of care provided in a hospital, skilled nursing facility, or intermediate care facility for persons with developmental disabilities;

(2) home care is appropriate; and

(3) the improvement will enable the borrower or a member of the borrower's family to reside in the housing.

The agency may waive any requirement that the housing units in a residential housing development be rented to persons of low and moderate income if the development consists of four or less dwelling units, one of which is occupied by the owner.

Sec. 2. Minnesota Statutes 2008, section 462A.05, subdivision 14a, is amended to read:

Subd. 14a. **Rehabilitation loans; existing owner occupied residential housing.** It may make loans to persons and families of low and moderate income to rehabilitate or to assist in rehabilitating existing residential housing owned and occupied by those persons or families. No loan shall be made unless the agency determines that the loan will be used primarily for rehabilitation work necessary for health or safety, essential accessibility improvements, or to improve the energy efficiency of the dwelling. No loan for rehabilitation of owner occupied residential housing shall be denied solely because the loan will not be used for placing the residential housing in full compliance with all state, county or municipal building, housing maintenance, fire, health or similar codes and standards applicable to housing. The amount of any loan shall not exceed the lesser of (a) a maximum loan amount determined under rules adopted by the agency not to exceed ~~$20,000~~ $27,000, or (b) the actual cost of the work performed, or (c) that portion of the cost of rehabilitation which the agency determines cannot otherwise be paid by the person or family without the expenditure of an unreasonable portion of the income of the person or family. Loans made in whole or in part with federal funds may exceed the maximum loan amount to the extent necessary to comply with federal lead abatement requirements prescribed by the funding source. In making loans, the agency shall determine the circumstances under which and the terms and conditions under which all or any portion of the loan will be repaid and shall determine the appropriate security for the repayment of the loan. Loans pursuant to this subdivision may be made with or without interest or periodic payments.

ARTICLE 4
LICENSING AND WAGES

Section 1. Minnesota Statutes 2008, section 154.44, subdivision 1, is amended to read:

Subdivision 1. **Schedule.** The fee schedule for licensees is as follows:

(a) Three-year license fees:

(1) cosmetologist, manicurist, esthetician, $90 for each initial license, and $60 for each renewal;

(2) instructor, manager, $120 for each initial license, and $90 for each renewal;

(3) salon, $130 for each initial license, and $100 for each renewal; and

(4) school, $1,500.

(b) Penalties:

(1) reinspection fee, variable; ~~and~~

(2) manager with lapsed practitioner, $25;

(3) expired cosmetologist, manicurist, esthetician, manager, school manager, and instructor license, $45; and

(4) expired salon or school license, $50.

(c) Administrative fees:

(1) certificate of identification, $20; ~~and~~

(2) school original application, $150;

(3) name change, $20;

(4) letter of license verification, $30;

(5) duplicate license, $20; and

(6) processing fee, $10.

(d) All fees established in this subdivision must be paid to the executive secretary of the board. The executive secretary of the board shall deposit the fees in the general fund in the state treasury.

ARTICLE 5
LICENSING; FEES

Section 1. **[326B.153] BUILDING PERMIT FEES.**

Subdivision 1. **Building permits.** (a) Fees for building permits submitted as required in section 326B.106 include:

(1) the fee as set forth in the fee schedule in paragraph (b) or as adopted by a municipality; and

(2) the surcharge required by section 326B.148.

(b) The total valuation and fee schedule is:

(1) $1 to $500, $29.50;

(2) $501 to $2,000, $28 for the first $500 plus $3.70 for each additional $100 or fraction thereof, to and including $2,000;

(3) $2,001 to $25,000, $83.50 for the first $2,000 plus $16.55 for each additional $1,000 or fraction thereof, to and including $25,000;

(4) $25,001 to $50,000, $464.15 for the first $25,000 plus $12 for each additional $1,000 or fraction thereof, to and including $50,000;

(5) $50,001 to $100,000, $764.15 for the first $50,000 plus $8.45 for each additional $1,000 or fraction thereof, to and including $100,000;

(6) $100,001 to $500,000, $1,186.65 for the first $100,000 plus $6.75 for each additional $1,000 or fraction thereof, to and including $500,000;

(7) $500,001 to $1,000,000, $3,886.65 for the first $500,000 plus $5.50 for each additional $1,000 or fraction thereof, to and including $1,000,000; and

(8) $1,000,001 and up, $6,636.65 for the first $1,000,000 plus $4.50 for each additional $1,000 or fraction thereof.

(c) Other inspections and fees are:

(1) inspections outside of normal business hours (minimum charge two hours), $63.25 per hour;

(2) reinspection fees, $63.25 per hour;

(3) inspections for which no fee is specifically indicated (minimum charge one-half hour), $63.25 per hour; and

(4) additional plan review required by changes, additions, or revisions to approved plans (minimum charge one-half hour), $63.25 per hour.

(d) If the actual hourly cost to the jurisdiction under paragraph (c) is greater than $63.25, then the greater rate shall be paid. Hourly cost includes supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

Subd. 2. **Plan review.** Fees for the review of building plans, specifications, and related documents submitted as required by section 326B.106 must be paid based on 65 percent of the building permit fee required in subpart 1.

Subd. 3. **Surcharge.** Surcharge fees are required for permits issued on all buildings including public buildings and state licensed facilities as required by section 326B.148.

Subd. 4. **Distribution.** (a) This subdivision establishes the fee distribution between the state and municipalities contracting for plan review and inspection of public buildings and state licensed facilities.

(b) If plan review and inspection services are provided by the state building official, all fees for those services must be remitted to the state.

(c) If plan review services are provided by the state building official and inspection services are provided by a contracting municipality:

(1) the state shall charge 75 percent of the plan review fee required by the state's fee schedule in this part; and

(2) the municipality shall charge 25 percent of the plan review fee required by the municipality's adopted fee schedule, for orientation to the plans, in addition to the permit and other customary fees charged by the municipality.

(d) If plan review and inspection services are provided by the contracting municipality, all fees for those services must be remitted to the municipality in accordance with their adopted fee schedule.

Sec. 2. Minnesota Statutes 2008, section 326B.33, subdivision 19, is amended to read:

Subd. 19. **License, registration, and renewal fees; expiration.** (a) Unless revoked or suspended under this chapter, all licenses issued or renewed under this section expire on the date specified in this subdivision. Master licenses expire March 1 of each odd-numbered year after issuance or renewal. Electrical contractor licenses expire March 1 of each even-numbered year after issuance or renewal. Technology system contractor licenses expire August 1 of each even-numbered year after issuance or renewal. All other personal licenses expire two years from the date of original issuance and every two years thereafter. Registrations of unlicensed individuals expire one year from the date of original issuance and every year thereafter.

(b) Fees for application and examination, and for the original issuance and each subsequent renewal, are:

(1) For each personal license application and examination: $35;

(2) For original issuance and each subsequent renewal of:

Class A Master or master special electrician, including master elevator constructor: $40 per year;

Class B Master: $25 per year;

Power Limited Technician: $15 per year;

Class A Journeyman, Class B Journeyman, Installer, Elevator Constructor, Lineman, or Maintenance Electrician other than master special electrician: $15 per year;

Contractor: $100 per year;

Unlicensed individual registration: $15 per year.

(c) If any new license is issued in accordance with this subdivision for less than two years, the fee for the license shall be prorated on an annual basis.

(d) A license fee may not be refunded after a license is issued or renewed. However, if the fee paid for a license was not prorated in accordance with this subdivision, the amount of the overpayment shall be refunded.

(e) Any contractor who seeks reissuance of a license after it has been revoked or suspended under this chapter shall submit a reissuance fee of $100 before the license is reinstated.

~~(f) The fee for the issuance of each duplicate license is $15.~~

~~(g)~~ (f) An individual or contractor who fails to renew a license before 30 days after the expiration or registration of the license must submit a late fee equal to one year's license fee in addition to the full renewal fee. Fees for renewed licenses or registrations are not prorated. An individual or contractor that fails to renew a license or registration by the expiration date is unlicensed until the license or registration is renewed.

Sec. 3. Minnesota Statutes 2008, section 326B.46, subdivision 4, is amended to read:

Subd. 4. **Fee.** (a) Each person giving bond to the state under subdivision 2 shall pay the department ~~an annual~~ a bond registration fee of $40 for one year or $80 for two years.

(b) The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the bond registration from one year to two years so that the expiration of bond registration corresponds with the expiration of the license issued under section 326B.49, subdivision 1, or 326B.475.

Sec. 4. Minnesota Statutes 2008, section 326B.475, subdivision 4, is amended to read:

Subd. 4. **Renewal; use period for license.** (a) A restricted master plumber and restricted journeyman plumber license must be renewed ~~annually~~ for as long as that licensee engages in the plumbing trade. Failure to renew a restricted master plumber and restricted journeyman plumber license within 12 months after the expiration date will result in permanent forfeiture of the restricted master plumber and restricted journeyman plumber license.

(b) The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of restricted master plumber and restricted journeyman plumber licenses from one year to two years. By June 30, 2011, all restricted master plumber and restricted journeyman plumber licenses shall be two-year licenses.

Sec. 5. Minnesota Statutes 2008, section 326B.475, subdivision 7, is amended to read:

Subd. 7. **Fee.** The ~~annual~~ renewal fee for the restricted master plumber and restricted journeyman plumber licenses is the same fee as for a master or journeyman plumber license, respectively.

Sec. 6. Minnesota Statutes 2008, section 326B.49, subdivision 1, is amended to read:

Subdivision 1. **Application.** (a) Applications for plumber's license shall be made to the commissioner, with fee. Unless the applicant is entitled to a renewal, the applicant shall be licensed by the commissioner only after passing a satisfactory examination developed and administered by the commissioner, based upon rules adopted by the Plumbing Board, showing fitness. Examination fees for both journeyman and master plumbers shall be $50 for each examination. Upon being notified of having successfully passed the examination for original license the applicant shall submit an application, with the license fee herein provided. The license fee for each initial ~~and renewal~~ master plumber's license shall be ~~$120~~ $240. The license fee for each initial ~~and renewal~~ journeyman plumber's license shall be ~~$55~~ $110. ~~The commissioner may by rule prescribe for the expiration and renewal of licenses.~~

(b) All initial master and journeyman plumber's licenses shall be effective for more than one calendar year and shall expire on December 31 of the year after the year in which the application is made. The license fee for each renewal master plumber's license shall be $120 for one year or $240 for two years. The license fee for each renewal journeyman plumber's license shall be $55 for one year or $110 for two years. The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of master and journeyman plumber's licenses from one year to two years. By June 30, 2011, all renewed master and journeyman plumber's licenses shall be two-year licenses.

(c) Any licensee who does not renew a license within two years after the license expires is no longer eligible for renewal. Such an individual must retake and pass the examination before a new license will be issued. A journeyman or master plumber who submits a license renewal application after the time specified in rule but within two years after the license expired must pay all past due renewal fees plus a late fee of $25.

Sec. 7. Minnesota Statutes 2008, section 326B.56, subdivision 4, is amended to read:

Subd. 4. **Fee.** (a) The commissioner shall collect a $40 bond registration fee for one year or $80 for two years from each applicant for issuance or renewal of a water conditioning contractor or installer license who elects to proceed under subdivisions 1 and 2.

(b) The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the bond registration from one year to two years so that the expiration of bond registration corresponds with the expiration of the license issued under section 326B.55.

Sec. 8. Minnesota Statutes 2008, section 326B.58, is amended to read:

326B.58 FEES.

(a) Examination fees for both water conditioning contractors and water conditioning installers shall be $50 for each examination. Each initial water conditioning contractor and installer license shall be effective for more than one calendar year and shall expire on December 31 of the year ~~for which it was issued~~ after the year in which the application is made. The license fee for each initial water conditioning contractor's license shall be ~~$70~~ $140, except that the license fee shall be ~~$35~~ $105 if the application is submitted during the last three months of the calendar year. The license fee for each renewal water conditioning contractor's license shall be $70 for one year or $140 for two years. The license fee for each initial water conditioning installer license shall be ~~$35~~ $70, except that the license fee shall be ~~$17.50~~ $52.50 if the application is submitted during the last three months of the calendar year. The license fee for each renewal water conditioning installer license shall be $35 for one year or $70 for two years.

(b) The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of water conditioning contractor and installer licenses from one year to two years. By June 30, 2011, all renewed water conditioning contractor and installer licenses shall be two-year licenses. The commissioner may by rule prescribe for the expiration and renewal of licenses.

(c) Any licensee who does not renew a license within two years after the license expires is no longer eligible for renewal. Such an individual must retake and pass the examination before a new license will be issued. A water conditioning contractor or water conditioning installer who submits a license renewal application after the time specified in rule but within two years after the license expired must pay all past due renewal fees plus a late fee of $25.

Sec. 9. Minnesota Statutes 2008, section 326B.815, subdivision 1, is amended to read:

Subdivision 1. **Licensing fee.** (a) The licensing fee for persons licensed pursuant to sections 326B.802 to 326B.885, except for manufactured home installers, is ~~$100 per year~~ $200 for a two-year period. The licensing fee for manufactured home installers under section 327B.041 is $300 for a three-year period.

(b) All initial licenses, except for manufactured home installer licenses, shall be effective for two years and shall expire on March 31 of the year after the year in which the application is made. The license fee for each renewal of a residential contractor, residential remodeler, or residential roofer license shall be $100 for one year and $200 for two years.

(c) The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of residential contractor, residential remodeler, and residential roofer licenses from one year to two years. By June 30, 2011, all renewed residential contractor, residential remodeler, and residential roofer licenses shall be two-year licenses.

Sec. 10. Minnesota Statutes 2008, section 326B.821, subdivision 2, is amended to read:

Subd. 2. **Hours.** A qualifying person of a licensee must provide proof of completion of ~~seven~~ 14 hours of continuing education per ~~year~~ two-year licensure period in the regulated industry in which the licensee is licensed.

Credit may not be earned if the licensee has previously obtained credit for the same course as either a student or instructor during the same licensing period.

Sec. 11. Minnesota Statutes 2008, section 326B.86, subdivision 1, is amended to read:

Subdivision 1. **Bond.** (a) Licensed manufactured home installers and licensed residential roofers must post a surety bond in the name of the licensee with the commissioner, conditioned that the applicant shall faithfully perform the duties and in all things comply with all laws, ordinances, and rules pertaining to the license or permit applied for and all contracts entered into. The ~~annual~~ bond must be continuous and maintained for so long as the licensee remains licensed. The aggregate liability of the surety on the bond to any and all persons, regardless of the number of claims made against the bond, may not exceed the amount of the bond. The bond may be canceled as to future liability by the surety upon 30 days' written notice mailed to the commissioner by regular mail.

(b) A licensed residential roofer must post a bond of at least $15,000.

(c) A licensed manufactured home installer must post a bond of at least $2,500.

Bonds issued under sections 326B.802 to 326B.885 are not state bonds or contracts for purposes of sections 8.05 and 16C.05, subdivision 2.

Sec. 12. Minnesota Statutes 2008, section 326B.885, subdivision 2, is amended to read:

Subd. 2. **~~Annual~~ Renewal period.** ~~Any license issued or renewed after August 1, 1993, must be renewed annually except for~~ (a) A residential contractor, residential remodeler, and residential roofer license shall have a renewal period of two years. The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of residential contractor, residential remodeler, and residential roofer licenses from one year to two years. By June 30, 2011, all renewed residential contractor, residential remodeler, and residential roofer licenses shall be two-year licenses.

(b) A manufactured home installer's license ~~which~~ shall have a renewal period of three years, effective for all renewals and new licenses issued after December 31, 2008.

Sec. 13. Minnesota Statutes 2008, section 326B.89, subdivision 3, is amended to read:

Subd. 3. **Fund fees.** In addition to any other fees, a person who applies for or renews a license under sections 326B.802 to 326B.885 shall pay a fee to the fund. The person shall pay, in addition to the appropriate application or renewal fee, the following additional fee that shall be deposited in the fund. The amount of the fee shall be based on the person's gross annual receipts for the person's most recent fiscal year preceding the application or renewal, on the following scale:

Fee	Gross Annual Receipts
~~$160~~ $320	under $1,000,000
~~$210~~ $420	$1,000,000 to $5,000,000
~~$260~~ $520	over $5,000,000

Sec. 14. Minnesota Statutes 2008, section 326B.89, subdivision 16, is amended to read:

Subd. 16. **Additional assessment.** If the balance in the fund is at any time less than the commissioner determines is necessary to carry out the purposes of this section, every licensee, when renewing a license, shall pay, in addition to the annual renewal fee and the fee set forth in subdivision 3, an assessment not to exceed ~~$100~~ $200. The commissioner shall set the amount of assessment based on a reasonable determination of the amount that is necessary to restore a balance in the fund adequate to carry out the purposes of this section.

Sec. 15. Minnesota Statutes 2008, section 326B.94, subdivision 4, is amended to read:

Subd. 4. **Examinations, licensing.** The commissioner shall develop and administer an examination for all masters of boats carrying passengers for hire on the inland waters of the state as to their qualifications and fitness. If found qualified and competent to perform their duties as a master of a boat carrying passengers for hire, they shall be issued a license authorizing them to act as such on the inland waters of the state. ~~The license shall be renewed annually.~~ All initial master's licenses shall be for two years. The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of master's licenses from one year to two years. By June 30, 2011, all renewed master's licenses shall be two-year licenses. Fees for the original issue and renewal of the license authorized under this section shall be pursuant to section 326B.986, subdivision 2.

Sec. 16. Minnesota Statutes 2008, section 326B.972, is amended to read:

326B.972 LICENSE REQUIREMENT.

(a) To operate a boiler, steam engine, or turbine an individual must have received a license for the grade covering that boiler, steam engine, or turbine. ~~The license must be renewed annually, except as provided~~ Except for licenses described in section 326B.956 and except for provisional licenses described in paragraphs (d) to (g)~~.~~:

(1) all initial licenses shall be for two years;

(2) the commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of licenses from one year to two years; and

(3) by June 30, 2011, all licenses shall be two-year licenses.

(b) For purposes of sections 326B.952 to 326B.998, "operation" does not include monitoring of an automatic boiler, either through on premises inspection of the boiler or by remote electronic surveillance, provided that no operations are performed upon the boiler other than emergency shut down in alarm situations.

(c) No individual under the influence of illegal drugs or alcohol may operate a boiler, steam engine, or turbine or monitor an automatic boiler.

(d) The commissioner may issue a provisional license to allow an employee of a high pressure boiler plant to operate boilers greater than 500 horsepower at only that boiler plant if:

(1) the boiler plant has a designated chief engineer in accordance with Minnesota Rules, part 5225.0410;

(2) the boiler plant employee holds a valid license as a second-class engineer, Grade A or B;

(3) the chief engineer in charge of the boiler plant submits an application to the commissioner on a form prescribed by the commissioner to elicit information on whether the requirements of this paragraph have been met;

(4) the chief engineer in charge of the boiler plant and an authorized representative of the owner of the boiler plant both sign the application for the provisional license;

(5) the owner of the boiler plant has a documented training program with examination for boilers and equipment at the boiler plant to train and test the boiler plant employee; and

(6) if the application were to be granted, the total number of provisional licenses for employees of the boiler plant would not exceed the total number of properly licensed

first-class engineers and chief engineers responsible for the safe operation of the boilers at the boiler plant.

(e) A public utility, cooperative electric association, generation and transmission cooperative electric association, municipal power agency, or municipal electric utility that employs licensed boiler operators who are subject to an existing labor contract may use a provisional licensee as an operator only if using the provisional licensee does not violate the labor contract.

(f) Each provisional license expires 36 months after the date of issuance unless revoked less than 36 months after the date of issuance. A provisional license may not be renewed.

(g) The commissioner may issue no more than two provisional licenses to any individual within a four-year period.

Sec. 17. Minnesota Statutes 2008, section 326B.986, subdivision 2, is amended to read:

Subd. 2. **Fee amounts; master's.** The license and application fee for ~~a~~ an initial master's license is ~~$50~~ $70, or ~~$20~~ $40 if the applicant possesses a valid, unlimited, current United States Coast Guard master's license. The ~~annual~~ renewal ~~of~~ fee for a master's license is $20 for one year or $40 for two years. ~~The annual renewal~~ If the renewal fee is paid later than 30 days after expiration ~~is $35. The fee for replacement of a current, valid license is $20~~, then a late fee of $15 will be added to the renewal fee.

Sec. 18. Minnesota Statutes 2008, section 326B.986, subdivision 5, is amended to read:

Subd. 5. **Boiler engineer license fees.** (a) For the following licenses, the nonrefundable license and application fee is:

(1) chief engineer's license, ~~$50~~ $70;

(2) first class engineer's license, ~~$50~~ $70;

(3) second class engineer's license, ~~$50~~ $70;

(4) special engineer's license, ~~$20~~ $40;

(5) traction or hobby boiler engineer's license, $50; and

(6) provisional license, $50.

(b) An engineer's license, except a provisional license, may be renewed upon application and payment of ~~an annual~~ a renewal fee of $20 for one year or $40 for two years. ~~The annual renewal,~~ If the renewal fee is paid later than 30 days after expiration, ~~is $35. The fee for replacement of a current, valid license is $20~~ then a late fee of $15 will be added to the renewal fee.

Sec. 19. Minnesota Statutes 2008, section 326B.986, subdivision 8, is amended to read:

Subd. 8. **Certificate of competency.** The fee for issuance of the original state of Minnesota certificate of competency for inspectors is ~~$50. This fee is waived~~ $85 for inspectors who did not pay the examination fee or $35 for inspectors who paid the examination fee. All initial certificates of competency shall be effective for more than one calendar year and shall expire on December 31 of the year after the year in which the application is made. The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of certificates of competency from one calendar year to two calendar years. By June 30, 2011, all renewed certificates of competency shall be valid for two calendar years. The fee for ~~an annual~~ renewal of the state of Minnesota certificate of competency is $35 for one year or $70 for two years, and is due ~~January 1 of each year. The fee for replacement of a current, valid license is $35~~ the day after the certificate expires.

Sec. 20. Minnesota Statutes 2008, section 327B.04, subdivision 7, is amended to read:

Subd. 7. ~~**Fees;**~~ **Licenses; when granted.** Each application for a license or license renewal must be accompanied by a fee in an amount established by ~~the commissioner by rule pursuant to section 327B.10~~ subdivision 7a. The fees shall be set in an amount which over the fiscal biennium will produce revenues approximately equal to the expenses which the commissioner expects to incur during that fiscal biennium while administering and enforcing sections 327B.01 to 327B.12. The commissioner shall grant or deny a license application or a renewal application within 60 days of its filing. If the license is granted, the commissioner shall license the applicant as a dealer or manufacturer for the remainder of the ~~calendar year~~ licensure period. Upon application by the licensee, the commissioner shall renew the license for a two year period, if:

~~(a)~~ (1) the renewal application satisfies the requirements of subdivisions 3 and 4;

~~(b)~~ (2) the renewal applicant has made all listings, registrations, notices and reports required by the commissioner during the preceding ~~year~~ licensure period; and

~~(c)~~ (3) the renewal applicant has paid all fees owed pursuant to sections 327B.01 to 327B.12 and all taxes, arrearages, and penalties owed to the state.

Sec. 21. Minnesota Statutes 2008, section 327B.04, is amended by adding a subdivision to read:

Subd. 7a. **Fees.** (a) Fees for licenses issued pursuant to this section are as follows:

(1) initial dealer license for principal location, $400. Fee is not refundable;

(2) initial dealer license for subagency location, $80;

(3) dealer license biennial renewal, principal location, $400; dealer subagency location biennial renewal, $160. Subagency license renewal must coincide with the principal license date;

(4) initial limited dealer license, $200;

(5) change of bonding company, $10;

(6) reinstatement of bond after cancellation notice has been received, $10;

(7) checks returned without payment, $15; and

(8) change of address, $10.

(b) All initial limited dealer licenses shall be effective for more than one calendar year and shall expire on December 31 of the year after the year in which the application is made.

(c) The license fee for each renewed limited dealer license shall be $100 for one year and $200 for two years. The commissioner shall in a manner determined by the commissioner, without the need for any rulemaking under chapter 14, phase in the renewal of limited dealer licenses from one year to two years. By June 30, 2011, all renewed limited dealer licenses shall be two-year licenses.

(d) All fees are not refundable.

Sec. 22. Minnesota Statutes 2008, section 327B.04, subdivision 8, is amended to read:

Subd. 8. **Limited dealer's license.** The commissioner shall issue a limited dealer's license to an owner of a manufactured home park authorizing the licensee as principal only to engage in the sale, offering for sale, soliciting, or advertising the sale of used manufactured homes located in the owned manufactured home park. The licensee must be the title holder of the homes and may engage in no more than ten sales ~~annually~~ during each year of the two-year licensure period. An owner may, upon payment of the applicable fee and compliance with this subdivision, obtain a separate license for each owned manufactured home park and is entitled to sell up to ~~ten~~ 20 homes per license period provided that only one limited dealer license may be issued for each park. The license shall be issued after:

(1) receipt of an application on forms provided by the commissioner containing the following information:

(i) the identity of the applicant;

(ii) the name under which the applicant will be licensed and do business in this state;

(iii) the name and address of the owned manufactured home park, including a copy of the park license, serving as the basis for the issuance of the license;

(iv) the name, home, and business address of the applicant;

(v) the name, address, and telephone number of one individual that is designated by the applicant to receive all communications and cooperate with all inspections and investigations of the commissioner pertaining to the sale of manufactured homes in the manufactured home park owned by the applicant;

(vi) whether the applicant or its designated individual has been convicted of a crime within the previous ten years that is either related directly to the business for which the license is sought or involved fraud, misrepresentation or misuse of funds, or has suffered a judgment in a civil action involving fraud, misrepresentation, or conversion within the previous five years or has had any government license or permit suspended or revoked as a result of an action brought by a federal or state governmental agency in this or any other state within the last five years; and

(vii) the applicant's qualifications and business history, including whether the applicant or its designated individual has ever been adjudged bankrupt or insolvent, or has any unsatisfied court judgments outstanding against it or them;

(2) payment of ~~a $100 annual~~ <u>the license</u> fee <u>established by subdivision 7a</u>; and

(3) provision of a surety bond in the amount of $5,000. A separate surety bond must be provided for each limited license.

The applicant need not comply with section 327B.04, subdivision 4, paragraph (e). The holding of a limited dealer's license does not satisfy the requirement contained in section 327B.04, subdivision 4, paragraph (e), for the licensee or salespersons with respect to obtaining a dealer license. The commissioner may, upon application for a renewal of a license, require only a verification that copies of sales documents have been retained and payment of ~~a $100~~ <u>the</u> renewal fee <u>established by subdivision 7a</u>. "Sales documents" mean only the safety feature disclosure form defined in section 327C.07, subdivision 3a, title of the home, financing agreements, and purchase agreements.

The license holder shall, upon request of the commissioner, make available for inspection during business hours sales documents required to be retained under this subdivision.

Sec. 23. **<u>REPEALER.</u>**

<u>Minnesota Rules, part 1350.8300, is repealed.</u>

ARTICLE 6
MISCELLANEOUS

Section 1. Laws 2007, chapter 135, article 1, section 16, is amended to read:

Sec. 16. **TRANSFERS**

~~The commissioner of labor and industry shall transfer $1,627,000 by June 30, 2008, and $1,515,000 by June 30, 2009, and each year thereafter, from the construction code fund to the general fund.~~

Of the balance remaining in Laws 2005, First Special Session chapter 1, article 3, section 2, subdivision 2, for the methamphetamine laboratory cleanup revolving loan fund, $100,000 is for transfer to the small community wastewater treatment account established in Minnesota Statutes, section 446A.075, subdivision 1.

APPENDIX
Article locations in 09-1021