
CHAPTER 109—S.F.No.1624

An act relating to housing and redevelopment; permitting coinciding terms of office for city council members of a municipality who are appointed commissioners of a municipal housing and redevelopment authority; permitting officers and employees of a municipal housing and redevelopment authority to purchase a principal residence in a housing and redevelopment district; redefining powers of local housing and redevelopment authorities in carrying out legislation; amending Minnesota Statutes 1974, Sections 462.425, Subdivision 6; 462.431; and 462.475, Subdivision 1; repealing Minnesota Statutes 1974, Section 462.501, Subdivision 1.

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

Section 1. Minnesota Statutes 1974, Section 462.425, Subdivision 6, is amended to read:

Subd. 6. **HOUSING AND REDEVELOPMENT; OFFICERS AND EMPLOYEES; APPOINTMENT; APPROVAL; TERM; VACANCY.** The commissioners constituting an authority shall be appointed by the mayor, with the approval of the governing body. Those initially appointed shall be appointed for terms of one, two, three, four, and five years, respectively. Thereafter all commissioners shall be appointed for five-year terms. Each vacancy in an unexpired term shall be filled in the same manner in which the original appointment was made. The council of any municipality which appoints members of the city council as commissioners may set the terms of office of the commissioner to coincide with his term of office as a council member.

Sec. 2. Minnesota Statutes 1974, Section 462.431, is amended to read:

462.431 INTEREST IN PROJECT FORBIDDEN. No commissioner or employee of an authority shall acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project, provided an authority shall not be prohibited from employing any of its public housing tenants, from providing housing in any of its housing projects to any of its employees who may qualify for such public housing, nor from selling to an employee a residence financed under Section 235 of the National Housing Act, Section 507 of the Housing and Urban Redevelopment Act of 1965, or similar programs for housing for low or moderate income families and further provided an employee or commissioner is not prohibited from purchasing a principal residence in any project if the authority or any instrumentality thereof is not the owner of the residence. "Principal residence" means the place where the employee or commissioner lives for more than six months of the year and in-

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cludes a single family structure and a residential unit in a condominium or cooperative housing project . No commissioner or employee of an authority after his employment has ceased, shall knowingly act as agent or attorney for anyone other than the authority in connection with any judicial or other determination, contract, claim, controversy, charge, accusation, arrest, or to the particular matter involving a specific party or parties in which the authority is a party or has a direct and substantial interest and in which he participated personally and substantially as an officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, while so employed. No person having been so employed, within one year after his employment has ceased, shall appear personally before any court or governmental department or agency as agent or attorney for anyone other than the authority in connection with any proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter involving a specific party or parties in which the authority is a party or directly and substantially interested, and which was under his official responsibility as an officer or employee of the authority at any time within a period of one year prior to the termination of such responsibility. This section shall not apply to the deposit of any funds of an authority in any bank in which a member of an authority shall have an interest if such funds are deposited and protected in accordance with Minnesota Statutes 1949, Chapter 118. If any commissioner or employee of an authority previously owned or controlled an interest, direct or indirect, in any property included or planned to be included in any project, or presently has such interest, he immediately shall disclose such interest in writing to the authority, and such disclosure shall be entered upon the minutes of the authority. Whoever violates any provision of this section shall be punished by a fine of not less than \$50 nor more than \$1,000, or by imprisonment for not more than three months, or both.

Sec. 3. Minnesota Statutes 1974, Section 462.475, Subdivision 1, is amended to read:

462.475 RENTALS, TENANT ADMISSIONS. Subdivision 1. **AUTHORITY, POWERS, DUTIES.** In the operation or management of housing projects an authority shall at all times observe the following duties with respect to rentals and tenant admissions.

(1) It may rent or lease the dwelling accommodations therein only to persons of low income and at rentals within the financial reach of such persons of low income;

(2) It may rent or lease to a tenant dwelling accommodations consisting of the number of rooms (but no greater number) which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding; and

(3) An authority in its operations within a municipality shall not

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accept any families as tenants in any housing project if the families who occupy the dwelling accommodations have an aggregate annual net income at the time of admission from all sources of each member of the family residing in the household who is at least 18 years of age, excepting nonrecurring income, as determined by the authority; and the income of full-time students; and less an exemption equal to the sum of (i) \$300 for each dependent; (ii) \$300 for each secondary wage earner; (iii) 5 percent of the family's gross income (10 percent in the case of elderly individuals or families); and (iv) extraordinary medical expenses or other expense resulting from unusual circumstances as determined by the authority; in excess of five times the annual rental of the quarters to be furnished such family; and, approve a family as tenant in a housing project if the family has an aggregate annual net income at the time of admission from all sources which is in excess of five times the annual rental for the accommodations to be provided the family. As used in this section, aggregate annual net income shall not include:

(a) the income of a family member, other than the head of the household or his spouse, who is under 18 years of age or who is a full time student;

(b) the first \$300 of the income of a secondary wage earner who is the spouse of the head of the household;

(c) \$300 for each member of the family residing in the household, other than the head of the household or his spouse, who is under 18 years of age or who is 18 years of age or older and is disabled, handicapped or a full time student;

(d) nonrecurring income as defined by the authority;

(e) five percent of the family's gross income from all sources or, in the case of an elderly family, ten percent of the family's gross income;

(f) extraordinary medical expenses or other expenses resulting from unusual circumstances as determined by the authority; and

(g) an amount equal to the moneys received by the head of the household or his spouse from or under the direction of any public or private nonprofit child placing agency for the care and maintenance of one or more persons who are under 18 years of age and were placed in the family by that agency.

(4) In computing the rental for the purpose of this section, there shall be included in the rental the average annual cost (as determined by the authority) to occupants of heat, water, electricity, gas, cooking fuel, and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental, provided, that an authority may adopt as its maximum net income for ad-

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mission of families any maximum which is less than either: (a) the maximum net family income computed under this subdivision; or (b) the maximum net family income determined pursuant to section 462.491 ; or (c) the maximum net family income determined pursuant to the housing and community development act of 1974 .

Sec. 4. REPEALER. Minnesota Statutes 1974, Section 462.501, Subdivision 1, is repealed.

Sec. 5. This act shall be effective the day after final enactment.

Approved April 1, 1976.

CHAPTER 110—S.F.No.1627

An act relating to state parks; adding lands to Kilen Woods state park in Jackson county; authorizing the inclusion of additional lands within the boundaries of Itasca state park.

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

Section 1. STATE PARKS; KILEN WOODS; ADDITION. The following lands are added to the boundaries of Kilen Woods state park, Jackson county:

All that part of the East Half of the Northwest Quarter of Section 17, Township 103 North, Range 35 West, lying outside of the existing statutory boundary of Kilen Woods state park.

These lands shall be acquired and administered in the manner provided in section 85.012.

Sec. 2. ADDITIONS TO ITASCA STATE PARK. Subdivision 1. **ACQUISITION OF LAND.** The lands described in this section are added to the boundaries of Itasca State Park. The commissioner of administration for the commissioner of natural resources may acquire these lands by gift, purchase, or if expressly authorized by law, by condemnation proceedings. Any land which now is or hereafter becomes tax-forfeited land and is located within the described park boundaries is hereby withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state for park purposes and transmit the same to the county auditor for recording as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes. Any lands within the boundaries described in this section which are owned by the

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