

CHAPTER 444—S.F.No. 1825

An act relating to manufactured homes; restricting the venue for repossession actions to the county in which the manufactured home is located; making technical changes; amending Minnesota Statutes 1992, sections 327.63, subdivision 1; 327.64, subdivision 2; and 327.65.

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

Section 1. Minnesota Statutes 1992, section 327.63, subdivision 1, is amended to read:

Subdivision 1. **U.C.C. AND CHAPTER 565.** To the extent that the procedures established by sections 327.61 to 327.67 differ from the procedures established or authorized for repossession of a manufactured home under the uniform commercial code of this state, the provisions of sections 327.61 to 327.67 shall supersede the code and shall govern the repossession of the manufactured home. The procedures established by sections 327.61 to 327.64 and sections 327.66 to 327.67 must be satisfied before a secured party may take any action pursuant to chapter 565.

Sec. 2. Minnesota Statutes 1992, section 327.64, subdivision 2, is amended to read:

Subd. 2. A secured party may commence repossession of a manufactured home by personally serving upon the occupant of the mobile home a notice ~~or~~ and, if the occupant is not the debtor, by sending a registered or certified letter to the last known address of the debtor under the security agreement, both setting forth the circumstances constituting the default under the security agreement and stating that the secured party will at the expiration of a 30-day period following receipt of the notice seek a court order removing the occupant from the manufactured home and repossessing the manufactured home, unless the debtor or the occupant acting on behalf of the debtor cures the default prior to that time and in the manner provided by section 327.66. If notice is mailed to a debtor in accordance with this subdivision, the secured party by affidavit shall set forth the circumstances causing the secured party to believe that the debtor could be reached at the address to which the notice was mailed. The affidavit shall state that the secured party has no reason to believe that the debtor might receive mailed notice at another address.

Sec. 3. Minnesota Statutes 1992, section 327.65, is amended to read:

327.65 COURT ORDER.

Except in cases of voluntary repossession, upon expiration of the 30-day period specified in the notices required by section 327.64, a secured party ~~may apply to a competent court of any jurisdiction within this state~~ must apply to the district court in the county in which the manufactured home is located for an order pursuant to chapter 565 directing the seizure and delivery of the manufactured home. The application shall be accompanied by a copy of the security

New language is indicated by underline, deletions by ~~strikeout~~.

agreement entitling the secured party to repossession of the manufactured home and by the affidavit required by section 327.64 if notice is mailed to the debtor. The notices required by section 327.64 shall not be considered as satisfying any of the notice requirements under chapter 565.

Presented to the governor April 12, 1994

Signed by the governor April 15, 1994, 1:47 p.m.

CHAPTER 445—S.F.No. 2672

An act relating to coroners; providing for exemption from educational requirements in certain circumstances; amending Minnesota Statutes 1992, section 390.005, subdivision 3.

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

Section 1. Minnesota Statutes 1992, section 390.005, subdivision 3, is amended to read:

Subd. 3. **EDUCATIONAL REQUIREMENTS.** A coroner must have successfully completed academic courses in pharmacology, surgery, pathology, toxicology, and physiology. However, if a board of county commissioners determines that the office of coroner shall not be elective and it cannot appoint any person meeting the educational qualifications as coroner, the board may:

(1) appoint any qualified person, whether or not a resident of the county or not; or

(2) if no qualified person can be found, appoint a person who is serving or has served as deputy coroner, whether or not a resident of the county.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Presented to the governor April 12, 1994

Signed by the governor April 15, 1994, 1:50 p.m.

CHAPTER 446—S.F.No. 2070

An act relating to cities; allowing home rule charter cities to apply law applicable to statutory cities in instances in which the charter is silent, with certain restrictions; proposing coding for new law in Minnesota Statutes, chapter 410.

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