

LEGISLATIVE BILL 218

Approved by the Governor May 30, 1981

Introduced by Sieck, 24

AN ACT relating to schools; to amend sections 71-1559 and 73-106, Revised Statutes Supplement, 1980; to make an exception from certain manufactured housing unit requirements; to provide for the acquisition and sale of certain real property as prescribed; to provide conditions; to provide an exception to bidding requirements; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 71-1559, Revised Statutes Supplement, 1980, be amended to read as follows:

71-1559. Every manufactured housing unit, ~~including those produced by any technical community college; except those constructed or manufactured by any school district or technical community college area as a part of a buildings trade or other instructional program offered by such district or area,~~ manufactured more than six months after July 10, 1976, which is sold, offered for sale, or leased in this state shall bear a seal issued by the department certifying that the construction and the structural, plumbing, heating, and electrical systems of such manufactured housing unit have been installed in compliance with the standards adopted by the department, applicable at the time of manufacture. The department shall establish a compliance assurance program consisting of an application form and a compliance assurance manual. Such manual shall identify and list all those procedures which the manufacturer and the inspection agency propose to implement to assure that the finished manufactured housing unit conforms to the approved building system and the applicable codes adopted by the department. The compliance assurance program requirements shall apply to all inspection agencies, whether department or independent third party, and shall define their duties and responsibilities in the process of inspecting, monitoring, and issuing seals for manufactured housing units. The department shall issue the seal only after ascertaining that the manufacturer is in full compliance with the compliance assurance program through inspections by the department, or authorized third party inspection agency, at the plant. Such inspections shall be of an unannounced frequency such that the required level of code compliance performance is implemented and maintained throughout all areas of plant

and site operations that affect regulatory aspects of the construction. Each seal issued by the department shall remain the property of the department and may be revoked by the department in the event of violation of the conditions of issuance. A fee of not more than sixty dollars, as determined by departmental regulation, shall be charged for each seal issued by the department. Inspection fees shall be paid for all departmental inspections of manufacturing plants located outside of the State of Nebraska. Such fees shall consist of a reimbursement by the manufacturer of actual departmental travel and inspection expenses only and shall be paid prior to any issuance of seals. All fees collected under sections 71-1555 to 71-1567 shall be paid into the state treasury and credited by the State Treasurer to the Manufactured Housing Cash Fund, which fund is hereby created. Such fund shall be used by the department for the purpose of administering the provisions of sections 71-1555 to 71-1567.

Sec. 2. That section 73-106, Revised Statutes Supplement, 1980, be amended to read as follows:

73-106. Whenever any public school district in the state expends public funds for the construction, remodeling, or repair of any school-owned building or for site improvements, other than those expenditures authorized by section 4 of this act for facilities which are not to be owned by the district following their completion, the board of education shall advertise for bids in the regular manner established by the board and accept or reject bids pursuant to section 73-101, except that nothing in this section shall be held to apply to such construction, remodeling, repair, or site improvements when the contemplated expenditure for the complete project does not exceed forty thousand dollars. This section shall not apply to the acquisition of existing buildings, purchase of new sites, or site expansions by the school district.

Sec. 3. Manufactured housing units, constructed or manufactured by any school district or technical community college area as a part of a buildings trade or other instructional program offered by such district or area shall be inspected by the local inspection authority.

Sec. 4. (1) A school district may acquire, except by eminent domain, real property for use in instructing students in the practical application of skills taught in classes offered by such school district. A school district may construct or improve buildings upon such property, including, but not limited to, buildings

constructed or improved as a part of a buildings trade program offered by such district.

(2) Any construction on, or improvement or use of, property acquired pursuant to subsection (1) of this section shall be in compliance with applicable building codes and zoning requirements.

(3) A school district may sell or lease property acquired pursuant to subsection (1) of this section directly or through an agent.

Sec. 5. That original sections 71-1559 and 73-106, Revised Statutes Supplement, 1980, are repealed.