

HOUSE RESEARCH

Bill Summary

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Overview

This bill implements Executive Order 193 which consolidated various code enforcement and licensing functions in the Department of Labor and Industry. This bill also adopts uniform code and licensing enforcement provisions and establishes boards for regulation of construction trades.

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Article 1: Revisor Instruction

- 1 1 **Revisor instruction.** Instructs the revisor to change references in Minnesota Rules to reflect changes made in the bill.

Article 2: General

- 1 1 **Fire Code rulemaking.** Transfers the authority to promulgate a State Fire Code from the commissioner of public safety to the commissioner of labor and industry.
- 2 2 **Definitions.** Defines "ASME," "commissioner," "department," "day," "individual," and "person" for purposes of new chapter 326B governing building codes.
- 3 3 **Powers.** Provides that the responsibilities for the following areas are transferred from the named agency to the Department of Labor and Industry:
- From Department of Administration; state building code, construction of low-cost manufactured home park storm shelters, manufactured homes, and statutory

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warranties in connection with the sale of dwellings and home improvement work.

- From the Department of Health; state plumbing code and licensing and water conditioning contractors and installers.
- From the Department of Commerce; residential contractors, residential remodelers, residential roofers, manufactured home installers and the contractor's recovery fund.
- From the Board of Electricity; state electrical code and licensing.

The state fire marshal is directed to work with the commissioner to improve services. The commissioner is granted rulemaking authority with respect to the responsibilities transferred.

4 4 Construction code fund. A construction code fund is established as a special revenue fund. Money collected under specified chapters (except penalties) is appropriated to the commissioner for administration and enforcement. Penalties are appropriated to the workers' compensation assigned risk safety account. Provides for transfer of balances in certain separately maintained special revenue funds to the construction code fund.

5 5 Bonds. Bonds issued under this chapter are not state bonds or contracts.

6 6 Commissioner not subject to subpoena . The commissioner and staff may not be subpoenaed to provide expert testimony about an inspection except in an enforcement proceeding.

Article 3: Enforcement

1 Definitions. Provides definitions for purposes of consolidated code enforcement section.

2 Enforcement.

Subd. 1. Commissioner authorized to enforce laws in new consolidated code chapter and laws pertaining to manufactured home sales and manufactured home building code using any enforcement provision in this section, including monetary penalties, in addition to any other means of enforcement provided by law.

Subd. 2. Provides discovery and subpoena powers to the commissioner. Provides for issuance of administrative inspection orders by district courts upon refusal to permit entry for inspection of property.

Subd. 3. Service of documents to be by mail, personal service or consent to service.

Subd. 4. Requests for hearings or reconsideration submitted by fax may not be longer than 15 pages. Faxes must be received by 4:30 PM central time on the due date.

Subd. 5. Method provided for computation of prescribed or allowed time periods.

Subd. 6. Establishes procedures for issuance and required content of a notice of violation. Also provides procedures and required content of a request for reconsideration. Request for reconsideration must be made within 10 days of notice of violation and response to request for reconsideration is required within 15 days of the request. If a request for reconsideration is not timely served or faxed, the notice of

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violation becomes a final order.

Subd. 7. Allows commissioner to issue administrative orders for violations of applicable law and to assess penalties of up to \$10,000 per violation. Penalties may be abated if the violation is corrected within 31 days of the order.

Subd. 8. Provides timeline for request and scheduling of expedited hearing on administrative orders.

Subd. 9. Commissioner may bring actions for injunctive relief without a showing of irreparable harm.

Subd. 10. Provides process for issuing stop orders, required contents of such orders, and process and timeline for appeal of such orders.

Subd. 11. Establishes grounds upon which the commissioner may deny, suspend, limit, place conditions on or revoke permits licenses and the like. Provides that no new application for a permit license or the like may be made within two years of revocation.

Subd. 12. Provides timeline for request and scheduling of hearing on licensing order.

Subd. 13. Allows summary suspension of licenses before period for requesting a hearing has run, and requires summary suspension in specified situations relating to safety and fraud.

Subd. 14. The commissioner may prepare a plan for assessing penalties for administrative orders, stop orders and licensing orders and must provide a 30-day period for public comment on such plan.

Subd. 15. Nothing in this section limits the application of other state or federal laws.

Subd. 16. Violations of applicable law are misdemeanors.

Subd. 17. Failure to pay a penalty is grounds for denial or revocation of all licenses, permits and the like issued by the department.

3 Penalties and contents of orders

Subd. 1. Requires the commissioner to consider the six factors currently applicable to all agencies assessing penalties. These include willfulness of violation, gravity of violation, history of violations, number of violations, economic benefit gained by the violation and other factors that justice may require.

Subd. 2. Required and permitted contents of licensing and administrative orders.

Subd. 3. Provides due dates for penalties in various circumstances.

4 False information. Prohibits making of false statements or omission of material information under applicable law.

5 Litigation cost recovery. Permits award of all or part of state's litigation expenses in actions to enforce orders, for injunctive relief and to compel performance.

6 Revisor's instruction. Renumbers statute authorizing adoption of fire code to locate it with Department of Labor and Industry statutes.

Article 4: Building Codes

- 1 1 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 2 2 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Adds requirement that the Building Code be adopted in consultation with each industry board.
- 3 3 **Updates language.**
- 4 4 **Updates language.**
- 5 5 **Updates language.** Adds boarding care homes and residential hospices to list of state licensed facilities.
- 6 6 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also updates language and strikes provisions now found in elevator code. Requires Building Code to be adopted in consultation with each industry board.
- 7 7 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 8 8 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also removes reference to requirement of report in 2001.
- 9 9 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 10 10 **Electronic version of building code; interpretative authority.** Permits the state building official to provide either electronic or print versions of the building code to each municipality within the state. Requires the commissioner to have advice from industry boards in interpreting the Building Code. Also technical changes.
- 11 11 **Building officials.** Permits commissioner to establish building official certification criteria by rule. Clarifies composition and terms of members of the Code Administration Oversight Committee. Establishes standards for renewal of building official certification.
- 12 12 **Surcharge.** Eliminates requirement that all building permit surcharges be deposited in the state special revenue fund for purposes of enforcing the state building code.
- 13 13 - 16 **Updates language.**
- 17 17 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 18 18 **Elevator inspection.** Defines "elevator inspection."
- 19 19 **Elevator inspector.** Defines "elevator inspector."
- 20 20 **Reports required.** Mandates reports to the commissioner by persons who serviced, altered, repaired or maintained any elevator from August 1, 2005, to July 31, 2007, and from any owner of an elevator that has not been serviced during that time. Prescribes contents of required reports.
- 21 21 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.

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- 22 22** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 23 23** **Technical changes and penalty increase.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also increases the maximum penalty that the commissioner may impose for violations of the elevator code from \$1,000 to \$10,000.
- 24 24** **Technical changes.** Requires an annual operating permit for elevator operators.
- 25 25** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Allows commissioner to adopt rules establishing minimum qualifications for elevator inspectors.
- 26 26** **Membership and duties of Construction Codes Advisory Council.** Changes the required membership on the Construction Codes Advisory Council to eliminate representatives of the Health and Commerce Departments. Adds as required members persons engaged in the ventilation industry, the power limited industry, the Board of Electricity, the high pressured piping industry, the boiler industry, the manufactured housing industry, public utilities suppliers, the Minnesota Building and Construction Trades Council, and local units of government. Eliminates the sunset on the Council. Authorizes the Council to make rules relating to building construction. Requires the Council to meet twice a year and makes technical conforming changes.
- 27 27** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also strikes requirement that filing fees for bonds required by HVAC contractors must be deposited in the state treasury.
- 28 28** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 29 29** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 30 30** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 31 31** **Definition.** Adds definition of "individual" as a human being for purposes of the manufactured home building code.
- 32 32** **Definition.** Broadens definition of "person" for purposes of the manufactured home building code.
- 33 33** **Definition.** Defines "purchaser" as an individual for purposes of the manufactured home building code.
- 34 34** **Updates reference.** Updates reference to federal law.
- 35 35** **Amends fee deposit provisions.**
- 36 36** **Amends fee deposit provisions.**
- 37 37** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 38 38** **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.

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- 39 39 Updates language.**
- 40 40 Violations.** Provides that willful violators of the manufactured home building code are guilty of gross misdemeanors. Current law provides fines of up to \$3,000 or imprisonment up to one year.
- 41 41 Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 42 42 Clarifying language.**
- 43 43 Clarifying language.**
- 44 44 Definition.** Adds definition of "individual" as a human being for purposes of chapter 327B, relating to manufactured home sales.
- 45 45 Definition.** Adds definition of "licensee" for purposes of chapter 327B, relating to manufactured home sales.
- 46 46 Definition.** Adds definition of "limited dealer" or "limited retailer" for purposes of chapter 327B, relating to manufactured home sales.
- 47 47 Definition.** Adds definition of "manufacturing facility" for purposes of chapter 327B, relating to manufactured home sales.
- 48 48 Definition.** Adds definition of "owner" in the context of manufactured housing.
- 49 49 Definition.** Broadens definition of "person" for purposes of chapter 327B, relating to manufactured home sales.
- 50 50 License required.** Extends licensing requirement to every facility manufacturing manufactured homes in Minnesota or for shipment into Minnesota. Adds requirement that dealers in manufactured homes carry liability insurance.
- 51 51 Surety bond requirements for licensure.** Clarifies that an applicant for a license to manufacture or sell manufactured homes must secure a surety bond in the applicant's name and the name under which he will be licensed and do business. Requires applicant to obtain a certificate of liability insurance in the amount of \$1 million.
- 52 52 Liability insurance.** Requires manufactured home license to name the liability insurance underwriter and contain the policy number.
- 53 53 Amends fee deposit provisions.**
- 54 54 Background information.** Requires background information with an application for a limited dealer's license to be issued to an owner of a manufactured home park.
- 55 55 Service on limited dealer.** Prescribes method for serving a document on a limited dealer.
- 56 56 Dealer's obligations.** Requires licensed dealer, limited dealer or manufacturer to notify the commissioner of the occurrence of specified events.
- 57 57 Language updated.**
- 58 58 Manufactured home installers.** Requires the commissioner to promulgate rules regarding education programs to be required for manufactured home installers.
- 59 59 Incorporating Adaptability Design Elements.** Directs the commissioner of DOLI to explore the possibility of incorporating adaptability design elements into the State

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60 60 Building Code for several specified international residential and building codes.
Revisor's instruction. Renumbers statute to reflect transfer of state building code enforcement from the Department of Administration to the Department of Labor and Industry.

Article 5: Electrical

1 1 - 2 Clarifying language and technical changes.

3 3 Definition. Defines "elevator constructor."

4 4 Definition. Defines "elevator contractor."

5 5 Definition. Defines "lineman."

6 6 Definition. Defines "maintenance electrician."

7 7 Definition. Defines "master elevator constructor."

8 8 Clarifying language. Updates and clarifies the definition of "contractor."

9 9 Updates language.

10 10 - Clarifying language and technical changes.
13

14 14 Electrical work defined. Adds work for technology circuits or systems to the definition of electrical work.

15 15 Supervision requirements clarified. Provides greater specificity concerning requirements for supervision of an unlicensed individual doing electrical work. Substitutes "individual" for "person."

16 16 Clarifying language.

17 17 Clarifying language and technical changes.

18 18 Updated reference. Updates reference to the National Electrical Code.

19 19 Electrical Board. This section creates the Electrical Board to consist of 11 members appointed by the commissioner. The membership must include two electrical suppliers from rural areas, two master electricians, two journeyman electricians, one registered consulting electrical engineer, two power-limited technicians who are technology system contractors, and two public members. The Board does not expire. The Board must form a complaint committee, a technical committee, and a program committee. Composition and responsibilities of these committees is provided. Specifies powers of the Board and requires the Board to meet at least four times per year.

20 20 Electrician licenses.

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Subd. 1. Clarifying language and technical changes.

Subd. 2. Clarifying language and technical changes.

Subd. 3. Provides that no new Class A installer licenses will be issued after December 1, 2007.

Subd. 3a. Clarifying language and technical changes.

Subd. 3b. Clarifying language and technical changes.

Subd. 3c. Clarifying language and technical changes.

Subd. 3d. Clarifying language and technical changes and licensing provisions removed.

Subd. 4. Eliminates special electrician licenses.

Subd. 5. Clarifying language and technical changes. Requires an unlicensed individual to register with the Board of Electricity prior to performing supervised electrical work. Also provides that a licensed individual supervising an unlicensed individual is responsible for ensuring that the work complies with the applicable law.

Subd. 6. Clarifying language.

Subd. 6a. Increases the amount of the electrical contractor bond from \$5,000 to \$25,000. Technical changes.

Subd. 6b. Increases the property damage insurance limits required to be maintained by electrical contractors from \$25,000 to \$50,000.

Subd. 6c. Clarifies requirements for responsible licensed individual.

Subd. 7. Clarifying language and technical changes.

Subd. 8. Moves license fees from rule to statute.

Subd. 8a. Establishes continuing education requirements for electricians.

Subds. 9 and 10. References to license enforcement by board deleted.

Subd. 11. Limits temporary licenses granted under reciprocity provisions to permit work for no more than 24 months within a 5-year period before taking the licensing exam.

Subd. 12. Clarifies supervision requirements for unlicensed maintenance electricians. Updates cross-references.

21 21 **Technical changes.**

22 22 **Technical changes and updated references.**

23 23 **Bond added.** Adds a requirement that inspectors must hold licenses as master or journeyman electricians and must post \$1,000 bond.

24 24 **Technical changes.**

25 25 **Technical changes.**

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- 26 26** **Inspection fees.** Increases minimum fee for each separate inspection from \$20 to \$30. Increases fees for specified inspections and investigations. Makes technical changes.
27 27 **Repealer.** Repeals definition of "special electrician."

Article 6: Plumbing

- 1 1** **Clarifying language.**
- 2 2** **Clarifying language.**
- 3 3** **Clarifying language.**
- 4 4** **Plumbing plan review agreements.** Establishes standards for agreements between the commissioner and municipalities for municipal inspections and plan reviews required by the plumbing code. Exempts existing agreements with municipalities from the new standards. Also technical changes.
- 5 5** **Technical changes.** Also provides that local regulation may not include the requirement of an additional bond or additional liability insurance.
- 6 6** **Technical changes.**
- 7 7** **Technical changes.** Clarifying language.
- 8 8** **Apprentices.** Requires that plumber's apprentices be supervised by a master or journeyman plumber. Other clarifying language. Establishes application procedures and fee for registration as plumber's apprentice.
- 9 9** **Reciprocity.** Limits the time period in which plumbers may be licensed on the basis of reciprocity.
- 10 10** **Transfer fees from rule to statute.**
- 11 11** **Purpose.** States purpose of state regulation of plumbing.
- 12 12** **Definitions.** Provides definitions of "direct supervision," "municipality" and "plumbing code."
- 13 13** **Revisor instruction.** Renumbers statutes to reflect transfer of plumbing code enforcement and licensing from the Department of Health to the Department of Labor and Industry.

Article 7: Water Conditioning Contractors and Installers

- 1 1 - 4** **Technical and clarifying language.**
- 5 5** **Technical and clarifying language.** Clarifies that the bond and insurance requirements in statute are deemed to meet the bond and insurance requirements of a municipality.
- 6 6 - 9** **Corrects cross-references**
- 10 10** **Moves fees from rule to statute.**

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- 11** **Updates language.**
12 **Reciprocity.** Limits the time period in which a water conditioner contractor or installer may work with a license granted on the basis of reciprocity.
13 **Clarifies purpose of definitions.**
14 **Revisor instruction.** Renumbers statutes to reflect transfer of water conditioner contractor licensing from the Department of Health to the Department of Labor and Industry.

Article 8: Residential Building Contractors and Remodelers

- 1 1 - 3** **Clarifying language.**
- 4 4** **Definition.** The definition of "owner," for purposes of law relating to residential contractors and remodelers, is changed to mean a person who has any legal or equitable interest in real property.
- 1 5** **Definition.** The definition of "roofer," for purposes of law relating to residential contractors and remodelers, is limited to "residential roofer."
- 2 6** **Specialty contractors.** Exterior plaster and stucco is removed from the list of general installation specialties.
- 3 7** **Clarifying language.**
- 4 8** **Information required; reciprocity.** Lists information that must be provided to the commissioner by licensees or applicants for licenses as residential building contractors, remodelers, or roofers, including current address, change in ownership or control of business, and information relating to solvency and criminal convictions. Definition of "owner" for work done by owners is clarified. Limits time period for licensure by reciprocity.
- 5 9** **Manufactured home installers.** Exclusions from regulation eliminated; however, provides that the commissioner may waive licensure requirements for manufactured home installers who hold unexpired certificates from other states or U.S. jurisdictions.
- 6 10** **Deletes obsolete reference.**
- 7 11** **Amends reference.** Permits verification of license by electronic communication. Reduces the licensing fee for residential contractors and remodelers from \$100 to \$70.
- 8 12** **Continuing education.** Requirements moved from rules to statute.
- 9 13** **Clarification.** Clarifies that there is no notice required to terminate the license of a licensee who fails to replace a "qualifying person" within 120 days.
- 10 14** **Application and examination.** Language clarified and updated.
- 11 15** **Updates statutory reference.**
- 12 16** **Update.** Updates statute to reflect amended enforcement provisions.
- 13 17** **Update.** Updates statute to reflect amended enforcement provisions.
- 14 18** **Updates statutory reference.** Also requires a political subdivision to notify the department when an application for a building permit for construction of new residential real estate is

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received from an unlicensed person.

15 19 Clarifies method for service of process.

16 20 Bonds and insurance. Increases bond required for residential roofers from \$5,000 to \$15,000. Requires manufactured home installers to post a bond of at least \$2,500. Increases required liability insurance from \$100,000 to \$300,000 for residential contractors and remodelers, residential roofers, and manufactured home installers.

17 21 Advertising. Requires licensees to include license numbers on Web site and Internet ads.

18 22 Language clarification.

19 23 Language clarification.

20 24 Scope. New sections 326B.801 to 326B.825 apply to residential contractors, residential remodelers, residential roofers, and manufactured home installers.

21 25 Reciprocity. Limits time period for licensure by reciprocity.

22 26 Written contract. Requires a written contract covering performance of services by a licensee and provides items required to be covered in the contract.

23 27 Denial of license. Provides that chapter 364 (which requires that persons not be disqualified from obtaining occupational licenses by reason of prior criminal convictions) does not apply to an applicant for a license when the prior criminal act would be grounds for denial of the license.

24 28 Continuing education. Defines terms for purposes of continuing education provisions.

25 29 Contractor recovery fund. Recodifies and clarifies contractor recovery fund procedures. Increases the accelerated claim limit from \$15,000 to \$50,000. Increases contractor recovery fund fees. Raises limits on payments from the fund.

26 30 Revisor instruction. Renumbers statutes to reflect transfer of residential contractors and remodelers enforcement and licensing from the Department of Commerce to the Department of Labor and Industry.

Article 9: Boilers Pressure Vessels and Boats

1 1 - Updated and clarifying language.
11

12 12 Electronic format. Provides that applications for licenses may be made available in electronic format. Updates language.

13 13 Notice to owner. Requires immediate notification to owner if deficiencies are found on inspection of boilers or pressure vessels.

14 14 Updated and clarifying language.

15 15 Reduces fees for master's licenses.

16 16 Reduces fees for boiler engineers.

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- 17 17** **Reduces fees for certificate of competency for inspectors.**
- 18 18** **Late fee.** Provides for a late fee of up to \$100 for inspection fees not paid on time.
- 19 19 -** **Updated and clarifying language.**
27
- 28 28** **Inspection personnel.** Provides for employment of inspection personnel and appointment of a chief boiler inspector. Establishes qualifications for chief boiler inspector.
- 29 29** **Boats.** Provides for permitting and licensing of boats and boat masters.
- 30 30** **Revisor instruction.** Renumbers statutes to reflect transfer of boiler, pressure vessel and boat inspection and licensing to the construction code and licensing division of the Department of Labor and Industry.

Article 10: High Pressure Piping

- 1 1** **Technical changes.**
- 2 2** **Definition.** Adds a definition of "contracting high pressure pipefitter" for purposes of laws relating to pipefitting.
- 3 3** **Definition.** Adds a definition of "high pressure steam" for purposes of laws relating to pipefitting.
- 4 4** **Definition.** Adds a definition of "journeyman high pressure pipefitter" for purposes of laws relating to pipefitting.
- 5 5** **Definition.** Adds a definition of "pipefitter apprentice" for purposes of laws relating to pipefitting.
- 6 6** **Agreement with municipality.** Provides that the commissioner may enter into an agreement with a municipality to perform inspections and issue permits relating to high pressure piping systems under specified conditions. Sets the filing fee for permits at \$100 and establishes method for calculation of inspection fees.
- 7 7** **Updated and clarifying language.** Requires registration of pipefitter apprentices and limits registration as an apprentice to four years. Prescribes the registration process for pipefitter apprentices. Provides a schedule of license fees for pipefitters.
- 8 8** **Renewal applications.** Requires annual renewals of high pressure pipefitters competency licenses.
- 9 9** **Reciprocity.** Limits time period for licensure by reciprocity.
- 10 10** **Revisor's instruction.** Renumbers statutes to reflect transfer of high pressure piping regulation and licensing to the construction code and licensing division of the Department of Labor and Industry.

Article 11: Conforming Changes

- 1 1 -** **Miscellaneous.** Various conforming changes, language updates and clarifications.
15

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- 16 16** **Access Review Board.** Adds a representative of the elevator safety section to the membership of the Access Review Board and eliminates the commissioner of labor and industry from the Board.

Article 12: Apprenticeship Board

- 1 1** **Council to Board.** Changes references to the Apprenticeship Advisory Council to the Apprenticeship Board.
- 1 2** **Council to Board.** Changes references to the Apprenticeship Advisory Council to the Apprenticeship Board.
- 2 3** **Oversight and consultation.** The director of the Division of Labor Standards and Apprenticeship is to perform the duties of that office with the oversight and consultation of the Apprenticeship Board.
- 3 4** **Proposed rules and standards.** Requires the commissioner of labor and industry to respond in writing to a proposal from the Apprenticeship Board within 30 days if the commissioner refuses to implement the proposal.

Article 13: Electrical Board

- 1 1** **Powers.** Eliminates the Electrical Board's power to fix compensation for inspectors and the requirement that inspectors give performance bonds.
- 2 2** **Rules.** Adds requirement that electrical wiring, apparatus and equipment comply with the rules of the Electrical Board.

Article 14: Plumbing Board

- 1 1** **Rulemaking.** The Board of Plumbing is authorized to make rules prescribing the minimum standards for plumbing installations
- 2 2** **Plumbing Board**

Subd. 1. The Plumbing Board is to be composed of 11 voting members appointed by the governor and confirmed by the Senate. Provides for terms for initial members and for subsequent members. Members must include two municipal plumbing inspectors, one licensed mechanical engineer, two commercial plumbing contractors from specified regions, two residential plumbing contractors from specified regions, two commercial plumbing journeypersons from specified regions, and two residential plumbing journeypersons from specified regions.

Subd. 2. The Plumbing Board has the power to elect its own officers, specify the plumbing code to be followed in the state; make determinations with regard to complaints, code amendments, code compliance and clarifications; adopt rules regarding the licensure and regulation of persons engaged in plumbing, and adopt rules regarding continuing education of plumbers.

Subd. 3. The Plumbing Board's budget will be submitted to the commissioner of labor and industry who will collect fees set by the Board and sufficient to provide for the Board's operation. The commissioner is responsible for enforcement of the codes and licensing requirements set by the Board.

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- 3 3 **Municipal license prohibited.** Prohibits a city or town from requiring a license for persons performing building sewer or water service installation who have completed pipe laying training prescribed by the commissioner of health.
- 4 4 **License required.** Adds references to restricted plumbing licenses and clarifies that a restricted master plumber may supervise plumbing work in cities and towns with populations under 5,000.
- 5 5 **Restricted plumber license.** Provides for issuance of licenses for restricted master or journeyman plumbers for applications received before January 1, 2008. Licenses so obtained are renewable and are valid in all areas of the state except cities and towns with populations in excess of 5,000.
- 6 6 **Reciprocity.** Limits the time period for licensure by reciprocity.
- 7 7 **Transfer of authority.** Prescribes the timeline and means for transfer of authority from the department of health to the Plumbing Board.
- 8 8 **Repealer.** Repeals statute exempting plumbing in cities under 5,000 from licensing requirements.

Article 15: Board of Construction Codes

1 1 Creation.

Subd. 1. Changes the Construction Codes Advisory Council to the Board of Construction Codes. Changes the membership on the Board to remove the commissioners of administration, health, public safety, and commerce and adding the commissioner of labor and industry. Additional members include nine members representing specified occupations appointed by the commissioner of labor and industry.

Subd. 2. Duties of the Board are expanded to include proposing rules relating to continuing education. Requires the Board to meet at least four times per year and establishes mechanism for approval of proposed rules.

Subd. 3. Changes "council" to "board."

Article 16: Fire Protection Council

1 1 Composition; powers; rules.

Subd. 1. Provides for an 11-member Fire Protection Council to be appointed by the governor and confirmed by the senate. Specifies that membership must include 2 municipal fire protection inspectors, one licensed mechanical engineer, two commercial fire protection contractors, two residential fire protection contractors, two commercial fire protection journeypersons, and one member from each of the Minnesota State Fire Chiefs Association and the Fire Marshals Association of Minnesota.

Subd. 2. Describes powers of the Fire Protection Council

Subd. 3. The Fire Protection Council's budget will be submitted to the commissioner of labor and industry who will collect fees set by the Council and sufficient to

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provide for the Council's operation. The commissioner is responsible for enforcement of the codes and licensing requirements set by the Council.

Subd. 4. Specifies the responsibilities of the commissioner of labor and industries with respect to rulemaking, issuance of orders and imposition of penalties.

- 1 2 Repealer.** Repeals the statute that created the Fire Protection Advisory Council under the auspices of the commissioner of public safety.

Article 17: High Pressure Piping Board

- 1 1 High pressure piping systems board.**

Subd. 1. The board will have eleven members representing various aspects of the industry appointed by the governor and confirmed by the senate. The commissioner of labor and industries will be a nonvoting member.

Subd. 2. The board has the power to elect its own officers, specify the high pressure piping code to be followed in the state; make determinations with regard to complaints, code amendments, code compliance and clarifications; adopt rules regarding the licensure and regulation of persons engaged in high pressure piping, and adopt rules regarding continuing education of regulated individuals.

Subd. 3. The board's budget will be submitted to the commissioner of labor and industry who will collect fees set by the board and sufficient to provide for the board's operation. The commissioner is responsible for enforcement of the codes and licensing requirements set by the board.

- 2 2 Repealer.** Repeals statute requiring the commissioner of labor and industries to charge fees set by the commissioner of administration for permits related to high pressure piping systems.

Article 18: Building and Structural Code Board

- 1 1 Building and structural code board.**

Subd. 1. The board will have eleven members representing various aspects of the industry appointed by the governor and confirmed by the senate. The commissioner of labor and industries will be a nonvoting member.

Subd. 2. The board has the power to elect its own officers, specify the building codes (other than plumbing, electrical, mechanical, high pressure piping and fire protection) to be followed in the state; make determinations with regard to complaints, code amendments, code compliance and clarifications; adopt rules regarding the licensure and regulation of persons engaged in construction and carpentry, and adopt rules regarding continuing education of regulated individuals.

Subd. 3. The board's budget will be submitted to the commissioner of labor and industry who will collect fees set by the board and sufficient to provide for the board's operation. The commissioner is responsible for enforcement of the codes and licensing requirements set by the board.

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Article 19: Mechanical Systems Board

1 1 Mechanical Systems Board.

Subd. 1. The board will have eleven members representing various aspects of the industry appointed by the governor and confirmed by the senate. The commissioner of labor and industries will be a nonvoting member.

Subd. 2. The board has the power to elect its own officers, select the mechanical and fuel gas codes to be followed in the state; make determinations with regard to complaints, code amendments, code compliance and clarifications; adopt rules regarding the licensure and regulation of persons engaged in activities regulated by the mechanical and fuel gas codes selected, and adopt rules regarding continuing education of regulated individuals.

Subd. 3. The board's budget will be submitted to the commissioner of labor and industry who will collect fees set by the board and sufficient to provide for the board's operation. The commissioner is responsible for enforcement of the codes and licensing requirements set by the board.

Article 20: Repealer and Effective Date

1 1 Repealer.

2 Effective date. Effective December 1, 2007 except where otherwise specified.