

1.1 CONFERENCE COMMITTEE REPORT ON S.F. No. 3128

1.2 A bill for an act
1.3 relating to residential construction; providing for lead poisoning prevention;
1.4 amending the State Building Code; modifying licensing requirements; amending
1.5 Minnesota Statutes 2008, sections 326B.106, by adding subdivisions; 326B.805,
1.6 by adding a subdivision.

1.7 May 4, 2010

1.8 The Honorable James P. Metzen
1.9 President of the Senate

1.10 The Honorable Margaret Anderson Kelliher
1.11 Speaker of the House of Representatives

1.12 We, the undersigned conferees for S.F. No. 3128 report that we have agreed upon
1.13 the items in dispute and recommend as follows:

1.14 That the House recede from its amendment and that S.F. No. 3128 be further
1.15 amended as follows:

1.16 Delete everything after the enacting clause and insert:

1.17 "Section 1. Minnesota Statutes 2008, section 326B.106, is amended by adding a
1.18 subdivision to read:

1.19 Subd. 13. **Lead certification.** When issuing permits in compliance with the State
1.20 Building Code to a residential building contractor, residential remodeler, manufactured
1.21 home installer, or residential roofer licensed under section 326B.805, municipalities must
1.22 verify lead certification qualifications of the licensee required under subdivision 14 for
1.23 renovations performed on residential property constructed prior to 1978. Municipalities
1.24 may charge a surcharge for verification of this certification under section 326B.815,
1.25 subdivision 2.

1.26 **EFFECTIVE DATE.** This section is effective February 1, 2011.

1.27 Sec. 2. Minnesota Statutes 2008, section 326B.106, is amended by adding a
1.28 subdivision to read:

2.1 Subd. 14. **Pre-1978 structures.** A residential building contractor, residential
2.2 remodeler, manufactured home installer, or residential roofer licensed under section
2.3 326B.805 performing renovation as defined by Code of Federal Regulations, title 40,
2.4 section 745.83, on a residential structure constructed prior to 1978 must be certified in
2.5 accordance with Code of Federal Regulations, title 40, section 745.89, unless the property
2.6 has been determined to meet an exemption under Code of Federal Regulations, title
2.7 40, section 745.82. Before performing the renovations as defined by Code of Federal
2.8 Regulations, title 40, section 745.83, on a residential structure constructed prior to
2.9 1978, a licensee working on the structure must be able to provide to the commissioner
2.10 information so that proof of certification can be obtained as required in this subdivision.
2.11 The department shall provide on its Web site a link to the United States Environmental
2.12 Protection Agency Web site for verification of certification of a licensee.

2.13 **EFFECTIVE DATE.** This section is effective February 1, 2011.

2.14 Sec. 3. Minnesota Statutes 2008, section 326B.805, is amended by adding a
2.15 subdivision to read:

2.16 Subd. 1a. **Pre-1978 structures.** A licensee performing renovation defined by Code
2.17 of Federal Regulations, title 40, section 745.83, on a residential structure constructed prior
2.18 to 1978 must comply with section 326B.106, subdivision 14.

2.19 **EFFECTIVE DATE.** This section is effective February 1, 2011."

2.20 Delete the title and insert:

2.21 "A bill for an act
2.22 relating to residential construction; providing for lead poisoning prevention;
2.23 amending the State Building Code; modifying licensing requirements for firms
2.24 and contractors performing work on certain structures where lead may be present;
2.25 amending Minnesota Statutes 2008, sections 326B.106, by adding subdivisions;
2.26 326B.805, by adding a subdivision."

3.1 We request the adoption of this report and repassage of the bill.

3.2 Senate Conferees:

3.3
3.4 Kenneth Kelash Chris Gerlach

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3.6 Jim Carlson

3.7 House Conferees:

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3.9 Karen Clark Jim Davnie

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3.11 Bob Gunther