

Subd. 4. FILING AND ADOPTION. When the revision is complete, the revisor shall certify it and file it with the secretary of state. The revisor shall file it not later than January 1, 1988. The legislature intends to amend Minnesota Statutes by reference to the revision prepared by the revisor and filed with the secretary of state. No change is effective until adopted by the legislature. The procedure for adoption will be that used to adopt Minnesota Revised Statutes 1943. The legislature may amend the revisor's revision when adopting the revision.

Subd. 5. OVERSIGHT. The revisor's work on this revision shall be monitored by the revisor's bill subcommittee that is usually appointed by the judiciary committees of the two houses.

Sec. 22. **REPEALER.**

Minnesota Statutes 1982, sections 482.01, 482.021, 482.031, 482.07, 482.09, 482.101, 482.11, 482.12, 482.131, 482.14, 645.03, 645.04, 645.05, 645.06, 648.11, 648.14, 648.31, 648.32, 648.33, 648.34, subdivision 1, 648.35, 648.36, 648.37, 648.39, 648.40, 648.41, 648.42, 648.43, and 648.44 are repealed.

Approved April 25, 1984

**CHAPTER 481 — H.F.No. 1264**

*An act relating to commerce; regulating pipefitters and pipefitting; amending Minnesota Statutes 1982, sections 326.46; 326.47; 326.48; and 326.50; proposing new law coded in Minnesota Statutes, chapters 175 and 326; repealing Minnesota Statutes 1982, section 326.49.*

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

Section 1. Minnesota Statutes 1982, section 326.46, is amended to read:

**326.46 DEPARTMENT OF LABOR AND INDUSTRY TO SUPERVISE STEAM HIGH PRESSURE PIPING.**

The department of labor and industry shall supervise all high pressure steam piping in connection with all building used on all projects in this state, and may prescribe minimum standards which shall be uniform.

The department shall employ inspectors and other assistants to carry out the provisions of sections 326.46 to 326.52.

Sec. 2. **[326.461] DEFINITIONS.**

Subdivision 1. SCOPE. For the purpose of sections 1 to 6, the following terms have the meanings given them.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 2. HIGH PRESSURE PIPING. "High pressure piping" means all high pressure piping used in the installation of hot water or steam heating boilers, any systems of piping hot water for heating that exceed 30 p.s.i. gage and 250 degrees Fahrenheit, or any system of high pressure steam piping, but shall not include any high pressure piping under the direct jurisdiction of the United States.

Subd. 3. MUNICIPALITY. "Municipality" means a statutory or home rule charter city.

Sec. 3. Minnesota Statutes 1982, section 326.47, is amended to read:

**326.47 CITY MAY PROVIDE FOR INSPECTION; PERMIT APPLICATION, PERMIT, FILING, AND INSPECTION FEES.**

Any city may, by ordinance, prescribe rules and regulations for materials, construction, and inspection of high pressure steamfitting and provide that it shall not be installed in any building except in accordance with plans approved or provided in the ordinances, and that no steamfitting shall be done except minor repairs upon prescribed conditions.

Such local authority as may be designated by any such ordinance for the issuance of such steamfitting permits and such approved plans shall report to the department of labor and industry persistent or wilful violations of the same and any incompetency of a licensed steamfitter observed by such local authority.

Subdivision 1. REQUIRED PERMIT. No person, firm, or corporation shall construct or install high pressure piping systems without first filing an application for a permit with the department of labor and industry or a municipality that has complied with subdivision 2. Projects under construction prior to August 1, 1984, are not required to obtain a permit.

Subd. 2. PERMISSIVE MUNICIPAL REGULATION. A municipality may, by ordinance, provide for the inspection of high pressure piping system materials and construction, and provide that it shall not be constructed or installed except in accordance with minimum state standards. The authority designated by the ordinance for issuing high pressure piping permits and assuring compliance with state standards must report to the department of labor and industry all violations of state high pressure piping standards.

A municipality may not adopt an ordinance with high pressure piping standards that does not conform to the uniform standards prescribed by the department of labor and industry. The department of labor and industry shall specify by rule the minimum qualifications for municipal inspectors.

Subd. 3. SURCHARGE. For the purpose of defraying the cost of administering sections 326.46 to 326.48, there is imposed on all municipalities except municipalities which have a letter of agreement with the Department of Labor and Industry to perform inspections, a surcharge on the filing fees,

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inspection fees and permits issued after December 31, 1984, in connection with the construction or installation of high pressure piping systems. The surcharge shall be two percent of the fees collected but shall not be less than \$10, nor greater than \$2,000.

Subd. 4. COLLECTION AND REPORTS. Fee surcharges must be collected by each municipality. A municipality having a population greater than 20,000 people must prepare and submit quarterly to the commissioner a report of fees and surcharges collected during the previous quarter. All other municipalities must submit reports and surcharges on a semiannual basis. The reports must be in a form prescribed by the commissioner and submitted together with a remittance covering surcharges collected. The report and surcharge are due by no later than the 15th day following the close of the period for which surcharges are being reported.

Subd. 5: REPORTING OF PERMITS ISSUED. Each municipality must submit to the department of labor and industry a copy of each permit issued within ten days after issuance.

All permits must be issued on forms prescribed by or approved by the department of labor and industry.

Subd. 6. FILING AND INSPECTION FEES. The department of labor and industry must charge a filing fee set by the commissioner under section 16A.128 for all applications for permits to construct or install high pressure piping systems. The fee for inspection of high pressure piping system construction or installation shall be set by the commissioner under section 16A.128. This subdivision does not apply where a permit is issued by a municipality complying with subdivision 2.

Sec. 4. Minnesota Statutes 1982, section 326.48, is amended to read:

326.48 **STEAMFITTERS PIPEFITTERS MUST BE LICENSED.**

Subdivision 1. No person, firm, or corporation shall engage in or work at the business of a contracting steamfitter pipefitter or journeyman steamfitter pipefitter unless licensed to do so by the department of labor and industry. No license shall be required for ~~minor~~ repairs on existing installations, ~~provided the repairs shall be made in compliance with the prescribed minimum standards of the department of labor and industry.~~ A contracting steamfitter pipefitter may also work as a journeyman steamfitter pipefitter.

No person, firm, or corporation shall engage in the business of installing high pressure ~~steam~~ piping, nor install high pressure ~~steam~~ piping in connection with the dealing in and selling of high pressure ~~steam~~ pipe material and supplies, unless, at all times, a licensed steamfitter pipefitter, who shall be responsible for proper installation, is in charge of the high pressure ~~steamfitting~~ pipefitting work of the person, firm, or corporation.

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The department of labor and industry shall prescribe rules, not inconsistent herewith, for the examination and licensing of ~~steamfitting~~ pipefitting.

An employee performing the duties of inspector for the department of labor and industry in regulating ~~steamfitting~~ pipefitting shall not receive time credit for the inspection duties when making an application for a license required by this section.

**Subd. 2. CONTRACTING ~~STEAMFITTER'S~~ PIPEFITTER'S LICENSE; BOND AND INSURANCE REQUIREMENTS.** The applicant for a contracting ~~steamfitter~~ pipefitter license may give bond to the state in the total penal sum of \$2,000 conditioned upon the faithful and lawful performance of all work entered upon by him within the state. The bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of performance. The term of the bond shall be concurrent with the term of the license. The bond shall be filed with the secretary of state of the state and shall be in lieu of all other license bonds to any political subdivision. The bond shall be written by a corporate surety licensed to do business in the state.

In addition, each applicant for a contracting ~~steamfitter's~~ pipefitter's license or renewal thereof, may provide evidence of public liability insurance, including products liability insurance, with limits of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000. The insurance shall be written by an insurer licensed to do business in the state and each licensed contracting ~~steamfitter~~ pipefitter shall maintain on file with the department, a certificate evidencing the insurance which provides that the insurance shall not be cancelled without the insurer first giving 15 days written notice to the department. The term of the insurance shall be concurrent with the term of the license. The certificate shall be in lieu of all other certificates required by any political subdivision for licensing purposes.

**Subd. 3. BOND AND INSURANCE EXEMPTION.** A contracting ~~steamfitter~~ pipefitter who is an employee of a contracting ~~steamfitter~~ pipefitter or who is an employee engaged within the limits of property owned, leased and operated, or maintained by his the employer, in the maintenance and repair of high pressure ~~steam~~ pipe work, equipment, or facilities owned or leased by the employer, shall not be required to meet the bond and insurance requirements of subdivision 2.

**Subd. 4. ALTERNATIVE COMPLIANCE.** Compliance with the local bond requirements of a locale within which work is to be performed shall be deemed to satisfy the bond and insurance requirements of subdivision 2.

**Subd. 5. FEE.** The state department of labor and industry may charge each applicant for a contracting ~~steamfitter~~ pipefitter license or for a renewal of a

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contracting steamfitter pipefitter license and an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivision 2.

Sec. 5. Minnesota Statutes 1982, section 326.50, is amended to read:

**326.50 APPLICATION; FEES.**

Application for a steamfitter's pipefitter's license shall be made to the department of labor and industry, with fees. Unless entitled to a renewal, the applicant shall be licensed only after passing a satisfactory examination by the examiners showing fitness. Fees for journeymen shall be \$25 for examination and \$15 for renewal, and for master steamfitters \$75 pipefitters for examination and \$60 for renewal shall be set by the commissioner under section 16A.128. Licenses shall expire December 31, but may be renewed upon application made the following January or February; but, if in February, only upon payment of an additional fee of \$5 set by the commissioner under section 16A.128.

The commissioner may issue a temporary license to a qualified individual with specific skills that a contractor or employer requires to construct or install a high pressure piping system. A temporary license must be renewed every 12 months. No individual may hold a temporary license for high pressure pipefitting for more than 36 months. The fee for a temporary license and for renewal of a temporary license shall be set by the commissioner under section 16A.128.

**Sec. 6. [175.008] CODE ENFORCEMENT ADVISORY COUNCIL; CREATION.**

The commissioner shall appoint an 11 member advisory council on code enforcement. The terms, compensation, and removal of council members is governed by section 15.059. The council shall not expire as provided by section 15.059. The council shall advise the commissioner on matters within the council's expertise or under the regulation of the commissioner.

**Sec. 7. APPROPRIATION.**

For the fiscal year ending June 30, 1985, the sum of \$197,200, is appropriated from the general fund to the commissioner of labor and industry. This appropriation is for increased personnel and expenses related to the duties contained in this act. The approved complement of the department of labor and industry is increased by five.

It is estimated that \$197,200, in nondedicated receipts will be deposited in the general fund in fiscal year 1985 resulting from fees authorized in this act.

**Sec. 8. REPEALER.**

Minnesota Statutes 1982, section 326.49, is repealed.

Approved April 25, 1984

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