

Sec. 3. Minnesota Statutes 1986, section 97B.931, is amended to read:

**97B.931 HOURS FOR TENDING TRAPS RESTRICTED.**

A person may not tend a trap set for wild animals between 7:00 p.m. and 5:00 a.m. Between 5:00 a.m. and 7:00 p.m. a person on foot may use a portable artificial light to tend traps. While using a light in the field, the person may not possess or use a firearm other than a handgun of .22 caliber.

Sec. 4. Minnesota Statutes 1986, section 97B.945, is amended to read:

**97B.945 SETTING OF TRAPS NEAR WATER RESTRICTED.**

A person may not set a trap within ~~150~~ 50 feet of a ~~stream, lake, or navigable~~ any water other than temporary surface water within 30 days before the open season for mink and muskrat without a special permit by the commissioner.

Approved May 14, 1987

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**CHAPTER 132—H.F.No. 656**

*An act relating to public safety; regulating high pressure piping and pipefitters; providing penalties; amending Minnesota Statutes 1986, sections 326.461, subdivision 2; 326.47, subdivision 3; 326.48, subdivision 1; 326.50; 326.51; proposing coding for new law in Minnesota Statutes, chapter 326.*

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

Section 1. Minnesota Statutes 1986, section 326.461, subdivision 2, is amended to read:

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 or other medium used 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.

Sec. 2. Minnesota Statutes 1986, section 326.47, subdivision 3, is amended to read:

Subd. 3. **SURCHARGE.** For the purpose of defraying the cost of administering sections 326.46 to ~~326.48~~ 326.52, 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, inspection fees and permits issued after December 31, 1984, in connection with the

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construction or installation of high pressure piping systems. The surcharge shall be ~~two percent of the fees collected~~ set by the commissioner pursuant to section 16A.128, but shall not be less than ~~\$10~~ \$25, nor greater than ~~\$2,000~~ \$5,000. All surcharges collected under this section must be paid to the commissioner for deposit in the state treasury for credit to the special revenue fund.

Sec. 3. Minnesota Statutes 1986, section 326.48, subdivision 1, is amended to read:

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

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

The department of labor and industry shall prescribe rules, not inconsistent herewith, for the examination and licensing of pipefitting pipefitters and for issuance of permits for the installation of high pressure piping.

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

Sec. 4. Minnesota Statutes 1986, section 326.50, is amended to read:

#### 326.50 APPLICATION; FEES.

Application for a 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 an examination by the examiners showing fitness~~ department of labor and industry. ~~Fees for journeymen for examination and renewal, and for master pipefitters for examination and renewal and conditions for renewal of journeyman and contracting pipefitter's licenses shall be set by the commissioner under chapter 14 and 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 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.~~

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Sec. 5. Minnesota Statutes 1986, section 326.51, is amended to read:

**326.51 DEPARTMENT MAY REVOKE LICENSES.**

The department may revoke or suspend, for cause, any license obtained through error or fraud, or if the licensee is shown to be incompetent, or for a ~~second willful~~ violation of any of its rules and regulations applicable to such work. The licensee shall have notice, in writing, enumerating the charges, and be entitled to a hearing ~~by the commissioner~~ on at least five ten days' notice, with the right to produce testimony. ~~The commissioner may appoint, in writing, any competent person to take testimony, who shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses. The decision of the commissioner shall be based on the testimony and records. The hearing shall be held pursuant to chapter 14. The commissioner shall issue a final order based on testimony and the record at hearing.~~ One year from the date of revocation application may be made for a new license.

**Sec. 6. [326.52] VIOLATIONS; PENALTY PROVISIONS.**

Unless otherwise specifically provided, any violation of any provision or requirement of sections 326.46 to 326.52 is a misdemeanor.

**Sec. 7. EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 14, 1987

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**CHAPTER 133—H.F.No. 721**

*An act relating to human services; providing for the recovery of medical assistance overpayments; amending Minnesota Statutes 1986, section 256B.0641, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1986, section 256B.0641, is amended by adding a subdivision to read:

**Subd. 2. OVERPAYMENTS TO PRIOR OWNERS.** The current owner of a nursing home, boarding care home, or intermediate care facility for persons with mental retardation or a related condition is liable for the overpayment amount owed by a former owner for any facility sold, transferred, or reorganized after the effective date of this section. Within 12 months of a written request by the current owner, the commissioner shall conduct a field audit of the facility for the auditable rate years during which the former owner owned the facility and issue a report of the field audit within 15 months of the written request. Nothing in this subdivision limits the liability of a former owner.

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