

horse. The commission shall by rule establish the qualifications for laboratories used by it as testing laboratories to enforce its rules under this section.

Sec. 5. Minnesota Statutes 1986, section 240.24, subdivision 3, is amended to read:

Subd. 3. **FEES.** The commission shall establish by rule a fee or schedule of fees to recover the costs of medical testing of horses running at racetracks licensed by the commission. Fees charged for the testing of horses shall cover ~~part of~~ the cost of the medical testing laboratory ~~but not exceed \$30 per horse.~~ Fee receipts shall be deposited in the state treasury and credited to the general fund.

Sec. 6. Laws 1985, chapter 211, section 5, is amended to read:

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment. ~~Section 2, subdivision 2, is repealed effective December 31, 1987.~~

Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 6 are effective the day following final enactment.

Approved May 7, 1987

CHAPTER 70—S.F.No. 1015

An act relating to public safety; regulating boilers and their operation; amending Minnesota Statutes 1986, sections 183.375, subdivision 2; 183.411, subdivision 2, and by adding a subdivision; 183.42; 183.545, subdivision 4; and 183.56; repealing Minnesota Statutes 1986, section 183.545, subdivision 5.

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

Section 1. Minnesota Statutes 1986, section 183.375, subdivision 2, is amended to read:

Subd. 2. **CHIEF OF DIVISION.** Subject to the provisions of chapter 43A, the commissioner shall appoint a chief and may appoint a deputy chief of the division of boiler inspection. ~~They~~ The appointee shall be a qualified steam ~~engineers~~ engineer with at least ten years of operation experience as such, five years of boiler inspection experience, and shall be licensed as a chief Grade A ~~engineers~~ engineer in this state and shall possess a current commission issued by the national board of boiler and pressure vessel inspectors. Inspectors employed in the division of boiler inspection may utilize up to five years of equivalent experience as inspectors, in satisfying the requirement of ten years of experience as steam engineers for the chief and deputy chief positions.

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

Sec. 2. Minnesota Statutes 1986, section 183.411, subdivision 2, is amended to read:

Subd. 2. **INSPECTION.** When used only for display and demonstration purposes, steam farm traction engines, portable and stationary show engines and portable and stationary show boilers shall be inspected every two years according to law.

(a) Boilers or show engines of lap seam construction not certified in Minnesota or previously certified in Minnesota but that have been repaired or altered after certification, may be certified in Minnesota if:

(1) all alterations have been done in accordance with American National Standard ANSI/NB23 R-404 or R-505; or

(2) form R-1, report of alteration, has been prepared by a registered professional engineer with verification by the authorized inspection agency responsible for the in-service inspection of the object in accordance with American National Standard ANSI/NB23 R-502; or

(3) the engine has received a certificate allowing operation, or repairs have been authorized under American National Standard ANSI/NB23 R-404.1, R-404.2, or R-404.3 in Minnesota or another jurisdiction that accepts the provisions of American National Standard ANSI/NB23 and an inspection has been completed by an inspector certified in Minnesota according to the standards set in paragraph (b).

(b) A hobby boiler or show engine, not certified in Minnesota or any other jurisdiction must successfully complete, at the owner's expense, inspection by:

(1) full radiographic examination of the long or longitudinal seam; and

(2) ultrasonic examination for metal thickness (for purposes of calculating the maximum allowable working pressure the thinnest reading shall be used - see also American National Standard ANSI/NB23 I-303.8); and

(3) magnetic particle or radiographic examination of areas where dye penetrant testing shows possible cracks; and

(4) hydrostatic testing at one and one-half maximum allowable working pressure.

(c) Further each such object shall successfully complete an inspection of:

(1) the fusible plug;

(2) the safety valve, which must be of American society of mechanical engineer's approved design and set at the maximum allowable working pressure and sealed in an appropriate manner not allowing tampering with the valve setting without destroying the seal; and

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(3) the boiler power piping.

Any longitudinal cracks found in riveted longitudinal seams requires that the vessel be sealed and not approved for use in Minnesota. If the boiler or show engine is jacketed, the jacket must be removed prior to inspection.

Sec. 3. Minnesota Statutes 1986, section 183.411, is amended by adding a subdivision to read:

Subd. 2a. INSPECTION FEES. The commissioner may set fees for inspecting traction engines, show boilers, and show engines pursuant to section 16A.128.

Sec. 4. Minnesota Statutes 1986, section 183.42, is amended to read:

183.42 INSPECTION EACH YEAR.

Every owner, lessee, or other person having charge of boilers, pressure vessels or any boat subject to inspection under this chapter shall cause the same to be inspected by the division of boiler inspection. Boilers and boats subject to inspection under this chapter shall be inspected at least annually and pressure vessels inspected at least every two years. A person who fails to have the inspection required by this section shall pay to the commissioner a penalty in the amount of the cost of inspection up to a maximum of \$1,000.

Sec. 5. Minnesota Statutes 1986, section 183.545, subdivision 4, is amended to read:

Subd. 4. **APPLICANTS FEES.** The commissioner shall, pursuant to section 16A.128, set the fee for an examination of an applicant for the following licenses:

- (a) chief engineer's license;
- (b) first class engineer's license;
- (c) second class engineer's license; ~~and~~
- (d) special engineer's license;
- (e) traction engineer's license; and
- (f) pilot's license.

If an applicant, after an examination, is entitled to receive a license, it shall be issued without the payment of any additional charge. Any license so issued expires one year after the date of its issuance. An engineer's license may be renewed upon application therefor and the payment of an annual renewal fee as set by the commissioner pursuant to section 16A.128.

~~The fee is payable at the time of application, which shall be made not later than ten days after the date of expiration of such license. If application is made more than ten days after the date of expiration of such license, an expired fee shall be paid instead of the renewal fee; the expired fees shall be set by the commissioner pursuant to section 16A.128.~~

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

Sec. 6. Minnesota Statutes 1986, section 183.56, is amended to read:

183.56 **EXCEPTIONS.**

The provisions of sections 183.38 to 183.62, shall not apply to:

- (1) Boilers in buildings occupied solely for residence purposes with accommodations for not more than five families;
- (2) Railroad locomotives operated by railroad companies for transportation purposes;
- (3) Air tanks installed on the right-of-way of railroads and used directly in the operation of trains;
- (4) Boilers and pressure vessels under the direct jurisdiction of the United States;
- (5) Unfired pressure vessels having an internal or external working pressure not exceeding 15 p.s.i.g. with no limit on size;
- (6) Pressure vessels used for storage of compressed air not exceeding five cubic feet in volume and equipped with an American Society of Mechanical Engineers code stamped safety valve set at a maximum of 100 p.s.i.g.;
- (7) Pressure vessels having an inside diameter not exceeding six inches ~~or a length not exceeding 36 inches;~~
- (8) Pressure vessels with a nominal water containing capacity of 120 gallons or less for containing water under pressure including those containing air the compression of which serves only as a cushion;
- (9) Boiler or pressure vessels located on farms used solely for agricultural or horticultural purposes;
- (10) Tanks or cylinders used for storage or transfer of liquified petroleum gases;
- (11) Unfired pressure vessels in petroleum refineries;
- (12) An air tank or pressure vessel which is an integral part of a passenger motor bus, truck, or trailer;
- (13) Hot water heating and other hot liquid boilers not exceeding a heat input of 750,000 BTU per hour;
- (14) Hot water supply boilers (water heaters) not exceeding a heat input of 500,000 BTU per hour, a water temperature of 210 degrees Fahrenheit, a nominal water capacity of 120 gallons, or a pressure of 160 p.s.i.g.; ~~and~~
- (15) A laundry and dry cleaning ~~presser~~ press not exceeding five cubic feet of steam volume; and

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(16) Pressure vessels operated full of water or other liquid not materially more hazardous than water, if the vessel's contents' temperature does not exceed 140 degrees fahrenheit or a pressure of 200 p.s.i.g.

An engineers license is not required for hot water supply boilers.

An engineers license is not required for boilers, steam cookers, steam kettles, steam sterilizers or other steam generators not exceeding 100,000 BTU per hour input, 25 kilowatt, 2-1/2 horsepower or a pressure of 15 p.s.i.g.

Electric boilers not exceeding a maximum working pressure of 50 p.s.i.g., maximum of 30 kilowatt input or three horsepower rating shall be inspected as pressure vessels and shall not require an engineer license to operate.

Sec. 7. REPEALER.

Minnesota Statutes 1986, section 183.545, subdivision 5, is repealed.

Approved May 7, 1987

CHAPTER 71—S.F.No. 1349

An act relating to state departments and agencies; renaming the division of emergency services; amending Minnesota Statutes 1986, section 12.04.

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

Section 1. Minnesota Statutes 1986, section 12.04, is amended to read:

12.04 DIVISION OF EMERGENCY SERVICES MANAGEMENT.

Subdivision 1. A division in the department of public safety to be known as the division of emergency ~~services~~ management is hereby created, under the supervision and control of a state director. The commissioner of public safety may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

Subd. 2. All of the functions, powers and duties of the state director of the division of emergency ~~services~~ management as described in this chapter, are hereby transferred to and imposed upon the commissioner of public safety, who shall be assigned to the duties and responsibilities described in this section.

Sec. 2. INSTRUCTION TO REVISOR.

In the next edition of Minnesota Statutes the revisor of statutes shall substitute the word "management" for the word "services" wherever it occurs in the phrase "division of emergency services" or in reference to that division.

Approved May 6, 1987

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