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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2155

03/11/2021

Authored by Baker

The bill was read for the first time and referred to the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy

1.1 A bill for an act

1.2 relating to construction codes; modifying the scope of the Plumbing Code;
1.3 amending Minnesota Statutes 2020, section 326B.435, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2020, section 326B.435, subdivision 2, is amended to read:

1.6 Subd. 2. **Powers; duties; administrative support.** (a) The board shall have the power
1.7 to:

1.8 (1) elect its chair, vice-chair, and secretary;

1.9 (2) adopt bylaws that specify the duties of its officers, the meeting dates of the board,
1.10 and containing such other provisions as may be useful and necessary for the efficient conduct
1.11 of the business of the board;

1.12 (3) adopt the Plumbing Code that must be followed in this state and any Plumbing Code
1.13 amendments thereto. The Plumbing Code shall include the minimum standards described
1.14 in sections 326B.43, subdivision 1, and 326B.52, subdivision 1. The Plumbing Code must
1.15 only have jurisdiction within the building envelope of both public and private buildings.
1.16 For the purposes of this clause, building envelope is defined as any material within two feet
1.17 from the exterior walls of the building. The board shall adopt the Plumbing Code and any
1.18 amendments thereto pursuant to chapter 14 and as provided in subdivision 6, paragraphs
1.19 (b), (c), and (d);

1.20 (4) review requests for final interpretations and issue final interpretations as provided
1.21 in section 326B.127, subdivision 5;

2.1 (5) adopt rules that regulate the licensure, certification, or registration of plumbing
2.2 contractors, journeyworkers, unlicensed individuals, master plumbers, restricted master
2.3 plumbers, restricted journeyworkers, restricted plumbing contractors, backflow prevention
2.4 rebuilders and testers, water conditioning contractors, and water conditioning installers, and
2.5 other persons engaged in the design, installation, and alteration of plumbing systems or
2.6 engaged in or working at the business of water conditioning installation or service, or
2.7 engaged in or working at the business of medical gas system installation, maintenance, or
2.8 repair, except for those individuals licensed under section 326.02, subdivisions 2 and 3. The
2.9 board shall adopt these rules pursuant to chapter 14 and as provided in subdivision 6,
2.10 paragraphs (e) and (f);

2.11 (6) adopt rules that regulate continuing education for individuals licensed as master
2.12 plumbers, journeyworker plumbers, restricted master plumbers, restricted journeyworker
2.13 plumbers, registered unlicensed individuals, water conditioning masters, and water
2.14 conditioning journeyworkers, and for individuals certified under sections 326B.437 and
2.15 326B.438. The board shall adopt these rules pursuant to chapter 14 and as provided in
2.16 subdivision 6, paragraphs (e) and (f);

2.17 (7) refer complaints or other communications to the commissioner, whether oral or
2.18 written, as provided in subdivision 8, that allege or imply a violation of a statute, rule, or
2.19 order that the commissioner has the authority to enforce pertaining to code compliance,
2.20 licensure, or an offering to perform or performance of unlicensed plumbing services;

2.21 (8) approve per diem and expenses deemed necessary for its members as provided in
2.22 subdivision 3;

2.23 (9) approve license reciprocity agreements;

2.24 (10) select from its members individuals to serve on any other state advisory council,
2.25 board, or committee; and

2.26 (11) recommend the fees for licenses, registrations, and certifications.

2.27 Except for the powers granted to the Plumbing Board, the Board of Electricity, and the
2.28 Board of High Pressure Piping Systems, the commissioner of labor and industry shall
2.29 administer and enforce the provisions of this chapter and any rules promulgated pursuant
2.30 thereto.

2.31 (b) The board shall comply with section 15.0597, subdivisions 2 and 4.

2.32 (c) The commissioner shall coordinate the board's rulemaking and recommendations
2.33 with the recommendations and rulemaking conducted by the other boards created pursuant

- 3.1 to this chapter. The commissioner shall provide staff support to the board. The support
- 3.2 includes professional, legal, technical, and clerical staff necessary to perform rulemaking
- 3.3 and other duties assigned to the board. The commissioner of labor and industry shall supply
- 3.4 necessary office space and supplies to assist the board in its duties.