

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 563

(SENATE AUTHORS: DRAHEIM)

DATE
01/23/2023

D-PG

Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to health; moving the regulation of radon licensing activities from the
1.3 commissioner of health to the commissioner of labor and industry; appropriating
1.4 money; amending Minnesota Statutes 2022, section 144.4961, subdivisions 3, 8,
1.5 9.

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

1.7 Section 1. Minnesota Statutes 2022, section 144.4961, subdivision 3, is amended to read:

1.8 Subd. 3. **Rulemaking.** The commissioner of ~~health~~ labor and industry shall adopt rules
1.9 establishing licensure requirements and work standards relating to indoor radon in dwellings
1.10 and other buildings, with the exception of newly constructed Minnesota homes according
1.11 to section 326B.106, subdivision 6. The commissioner shall coordinate, oversee, and
1.12 implement all state functions in matters concerning the presence, effects, measurement, and
1.13 mitigation of risks of radon in dwellings and other buildings. ~~Rules adopted by the~~
1.14 ~~commissioner under this subdivision are effective beginning January 1, 2019.~~

1.15 Sec. 2. Minnesota Statutes 2022, section 144.4961, subdivision 8, is amended to read:

1.16 Subd. 8. **Licensing fees.** (a) All radon license applications submitted to the commissioner
1.17 of ~~health~~ labor and industry must be accompanied by the required fees. If the commissioner
1.18 determines that insufficient fees were paid, the necessary additional fees must be paid before
1.19 the commissioner approves the application. The commissioner shall charge the following
1.20 fees for each radon license:

1.21 (1) Each measurement professional license, \$150 per year. "Measurement professional"
1.22 means any person who performs a test to determine the presence and concentration of radon
1.23 in a building the person does not own or lease.

2.1 (2) Each mitigation professional license, \$250 per year. "Mitigation professional" means
2.2 an individual who installs or designs a radon mitigation system in a building the individual
2.3 does not own or lease, or provides on-site supervision of radon mitigation and mitigation
2.4 technicians. "On-site supervision" means a review at the property of mitigation work upon
2.5 completion of the work and attachment of a system tag. Employees or subcontractors who
2.6 are supervised by a licensed mitigation professional are not required to be licensed under
2.7 this clause. This license also permits the licensee to perform the activities of a measurement
2.8 professional described in clause (1).

2.9 (3) Each mitigation company license, \$100 per year. "Mitigation company" means any
2.10 business or government entity that performs or authorizes employees to perform radon
2.11 mitigation. This fee is waived if the mitigation company employs only one licensed mitigation
2.12 professional.

2.13 (4) Each radon analysis laboratory license, \$500 per year. "Radon analysis laboratory"
2.14 means a business entity or government entity that analyzes passive radon detection devices
2.15 to determine the presence and concentration of radon in the devices. This fee is waived if
2.16 the laboratory is a government entity and is only distributing test kits for the general public
2.17 to use in Minnesota.

2.18 (5) Each Minnesota Department of ~~Health~~ Labor and Industry radon mitigation system
2.19 tag, \$75 per tag. "Minnesota Department of ~~Health~~ Labor and Industry radon mitigation
2.20 system tag" or "system tag" means a unique identifiable radon system label provided by the
2.21 commissioner of ~~health~~ labor and industry.

2.22 (b) Fees collected under this section shall be deposited in the state treasury and credited
2.23 to the state government special revenue fund.

2.24 Sec. 3. Minnesota Statutes 2022, section 144.4961, subdivision 9, is amended to read:

2.25 Subd. 9. **Enforcement.** The commissioner shall enforce this section under the provisions
2.26 of ~~sections 144.989 to 144.993~~ chapter 326B.

2.27 Sec. 4. **APPROPRIATION.**

2.28 \$..... is appropriated in fiscal year 2024 from the state government special revenue fund
2.29 to the commissioner of labor and industry to implement the Minnesota Radon Licensing
2.30 Act.

3.1 Sec. 5. **REDUCTION IN APPROPRIATION.**

3.2 In fiscal year 2024, the state government special revenue fund appropriation to the
3.3 commissioner of health for licensing requirements under the Minnesota Radon Licensing
3.4 Act is reduced by \$.....

3.5 Sec. 6. **REVISOR INSTRUCTION.**

3.6 The revisor of statutes shall recode Minnesota Statutes, section 144.4961, into chapter
3.7 326B, and shall revise any statutory cross-references consistent with this recoding.