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HOUSE FILE NO. 1336

FIRST COMMITTEE ENGROSSMENT

February 22, 2007

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The bill was read for the first time and referred to the Committee on Commerce and Labor

Referred by Chair to Labor and Consumer Protection Division.

March 12, 2007

Returned to the Committee on Commerce and Labor as Amended.

1.1 A bill for an act
1.2 relating to occupations; establishing the Board of High Pressure Piping Systems;
1.3 requiring the board to establish fees; amending Minnesota Statutes 2006, section
1.4 326.47, subdivision 6; proposing coding for new law in Minnesota Statutes,
1.5 chapter 326.

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

1.7 Section 1. Minnesota Statutes 2006, section 326.47, subdivision 6, is amended to read:

1.8 Subd. 6. **Filing and inspection fees.** The Department of Labor and Industry
1.9 must charge a filing fee set by the ~~commissioner~~ board under section 16A.1285 for all
1.10 applications for permits to construct or install high pressure piping systems. The fee for
1.11 inspection of high pressure piping system construction or installation shall be set by the
1.12 ~~commissioner~~ board under section 16A.1285. This subdivision does not apply where a
1.13 permit is issued by a municipality complying with subdivision 2.

1.14 Sec. 2. **[326.471] BOARD OF HIGH PRESSURE PIPING SYSTEMS.**

1.15 Subdivision 1. **Composition.** (a) The Board of High Pressure Piping Systems shall
1.16 consist of 12 members who must be residents of the state, appointed by the governor, and
1.17 confirmed by the senate. The commissioner of the Department of Labor and Industry or
1.18 the commissioner's designee shall be a nonvoting member. The first appointed board
1.19 members shall serve an initial term of four years, except where designated otherwise. The
1.20 governor shall then reappoint the current members or appoint replacement members, all or
1.21 in part, to subsequent three-year terms. Midterm vacancies shall be filled for the remaining
1.22 portion of the term. Vacancies occurring with less than six months time remaining in the
1.23 term shall be filled for the existing term and the following three-year term. Of the 11
1.24 appointed members, the composition shall be as follows:

2.1 (1) one member shall be a high pressure piping inspector;

2.2 (2) one member shall be a licensed mechanical engineer;

2.3 (3) one member shall be a representative of the piping industry;

2.4 (4) four members shall be high pressure piping contractors or their representatives,
2.5 engaged in the scope of high pressure piping, two from the metro area and two from
2.6 greater Minnesota;

2.7 (5) two members shall be high pressure piping journeypersons engaged in the scope
2.8 of high pressure piping systems installation, one from the metro area and one from greater
2.9 Minnesota; and

2.10 (6) two members shall be representatives from utility companies in Minnesota
2.11 who shall serve an initial term of two years.

2.12 (b) Except for the licensed mechanical engineer and the members from utilities
2.13 companies, all persons appointed to the board must possess a current license or
2.14 competency credential required for contractors and persons engaged in the design,
2.15 installation, alteration, and inspection of high pressure systems.

2.16 Subd. 2. **Powers.** (a) The board shall have the power to:

2.17 (1) elect its own officers;

2.18 (2) specify the high pressure piping code that must be followed in Minnesota;

2.19 (3) maintain an appeals committee to make determinations regarding any complaints,
2.20 code amendments, code compliance, and code clarifications filed with the board;

2.21 (4) adopt rules necessary for the regulation and licensing of contractors,
2.22 journeypersons, trainees, and other persons engaged in the design, installation, alteration,
2.23 and inspection of high pressure piping systems;

2.24 (5) adopt rules necessary for continuing education for individuals regulated and
2.25 licensed under this section; and

2.26 (6) pay expenses deemed necessary in the performance of board duties, including
2.27 rent, utilities, and supplies in the manner and amount specified in section 43A.18,
2.28 subdivision 2.

2.29 (b) Complaints filed under this section may originate with high pressure piping
2.30 inspectors, contractors, or their employees, or other persons engaged in the design,
2.31 installation, and alteration of a high pressure piping system. The board shall make their
2.32 findings known to all parties and the commissioner of the Department of Labor and
2.33 Industry within the time period specified by the board.

2.34 Subd. 3. **Fee and finances.** The board shall submit an annual budget to the
2.35 commissioner of the Department of Labor and Industry. The commissioner shall collect
2.36 fees necessary for the operation and continuance of the board. The commissioner is

3.1 responsible for the enforcement of the codes and licensing requirements determined by the
3.2 board. The board shall set the fees for licenses and certification under this section and for
3.3 all high pressure piping system permits and submit the fee structure to the commissioner
3.4 of labor and industry. Funds collected under section 326.50 shall be transferred to the
3.5 board quarterly to meet ongoing budgetary needs of the board.