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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. **1190**

February 19, 2007

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

1.1 A bill for an act  
1.2 relating to occupations; establishing the Plumbing Council; proposing coding for  
1.3 new law in Minnesota Statutes, chapter 326.

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

1.5 Section 1. [326.372] PLUMBING COUNCIL.

1.6 Subdivision 1. Composition. (a) The Plumbing Council shall consist of 11 voting  
1.7 members who must be residents of the state, appointed by the governor, and confirmed by  
1.8 the senate. The commissioner of labor and industry or the commissioner's designee shall  
1.9 be a nonvoting member. The first appointed board members shall serve an initial term  
1.10 of four years, except where designated otherwise. The governor shall then reappoint the  
1.11 current members or appoint replacement members, all or in part, to subsequent three-year  
1.12 terms. Midterm vacancies shall be filled for the remaining portion of the term. Vacancies  
1.13 occurring with less than six months time remaining in the term shall be filled for the  
1.14 existing term and the following three-year term. Of the 11 appointed members, the  
1.15 composition shall be as follows:

1.16 (1) two members shall be municipal plumbing inspectors;

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

1.18 (3) two members serving an initial term of three years shall be plumbing contractors  
1.19 or the representative of the contractor, engaged in a commercial scope of plumbing  
1.20 contracting, one from the metro area and one from greater Minnesota;

1.21 (4) two members serving an initial term of three years shall be plumbing contractors  
1.22 or their representatives, engaged in the residential scope of plumbing contracting, one  
1.23 from the metro area and one from greater Minnesota;

2.1 (5) two members serving an initial term of two years shall be plumbing  
2.2 journeypersons engaged in a commercial scope of plumbing systems installation, one  
2.3 from the metro area and one from greater Minnesota; and

2.4 (6) two members serving an initial term of two years shall be plumbing  
2.5 journeypersons engaged in a residential scope of plumbing systems installation, one from  
2.6 the metro area and one from greater Minnesota.

2.7 (b) Except for the licensed mechanical engineer, all persons appointed to the  
2.8 council must possess a current Minnesota plumbing license and maintain the license for  
2.9 the duration of their term.

2.10 Subd. 2. **Powers.** (a) The council shall have the power to:

2.11 (1) elect its own officers;

2.12 (2) specify the plumbing code that must be followed in this state;

2.13 (3) maintain a review process to make determinations regarding any complaints,  
2.14 code amendments, code compliance, and code clarifications filed with the council;

2.15 (4) adopt rules necessary for the regulation and licensing of contractors,  
2.16 journeypersons, apprentices, and other persons engaged in the design, installation,  
2.17 alteration, and inspection of plumbing systems that would include the issuing, renewing,  
2.18 revoking, refusing to renew, and suspending a plumbing license;

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

2.21 (6) pay expenses deemed necessary in the performance of council duties, including  
2.22 rent, utilities, and supplies in the manner and amount specified in section 43A.18,  
2.23 subdivision 2.

2.24 (b) Requests under the review process in paragraph (a), clause (3), may originate  
2.25 with the municipal inspectors, the plumbing contractors or their employees, and other  
2.26 persons engaged in the design, installation, and alteration of plumbing systems. The  
2.27 council shall make their findings known to all parties and the commissioner of labor and  
2.28 industry within the time period specified by the council.

2.29 Subd. 3. **Fees and finances.** The council shall submit an annual budget to the  
2.30 commissioner of labor and industry. The commissioner shall collect fees necessary for  
2.31 the operation and continuance of the council. The commissioner is responsible for the  
2.32 enforcement of the codes and licensing requirements determined by the council. The  
2.33 council shall set the fees for licenses and certification under this section. Fees collected  
2.34 under sections 326.42 and 326.47 shall be transferred to the council quarterly to meet the  
2.35 ongoing operation needs of the council.