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HOUSE FILE No. 3293

SECOND COMMITTEE ENGROSSMENT

March 1, 2010

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

March 17, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

Referred by Chair to Higher Education and Workforce Development Finance and Policy Division.

March 24, 2010

Returned to the Committee on Finance as Amended.

1.1 A bill for an act
1.2 relating to residential construction; providing for lead poisoning prevention;
1.3 amending the State Building Code; modifying licensing requirements; amending
1.4 Minnesota Statutes 2008, sections 326B.106, by adding subdivisions; 326B.805,
1.5 by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2008, section 326B.106, is amended by adding a
1.8 subdivision to read:

1.9 Subd. 13. **Lead poisoning prevention.** The code must require that any renovation
1.10 performed on residential property or child-occupied facilities constructed prior to 1978
1.11 comply with Code of Federal Regulations, title 40, sections 745.80 to 745.92.

1.12 **EFFECTIVE DATE.** This section is effective February 1, 2011.

1.13 Sec. 2. Minnesota Statutes 2008, section 326B.106, is amended by adding a
1.14 subdivision to read:

1.15 Subd. 14. **Pre-1978 structures.** Any firm performing renovation as defined by Code
1.16 of Federal Regulations, title 40, section 745.83, on a residential structure or child-occupied
1.17 facility constructed prior to 1978 must be certified in accordance with Code of Federal
1.18 Regulations, title 40, section 745.89, unless the property or child-occupied facility
1.19 has been determined to meet an exemption under Code of Federal Regulations, title
1.20 40, section 745.82. Before performing the renovations as defined by Code of Federal
1.21 Regulations, title 40, section 745.83, on a residential structure or child-occupied facility
1.22 constructed prior to 1978, any firm working on the structure must be able to provide to
1.23 the commissioner information so that proof of certification can be obtained as required in

2.1 this subdivision. The department shall provide on its Web site a link to the United States
2.2 Environmental Protection Agency Web site for verification of certification by contractors
2.3 licensed by the Department of Labor and Industry.

2.4 **EFFECTIVE DATE.** This section is effective February 1, 2011.

2.5 Sec. 3. Minnesota Statutes 2008, section 326B.805, is amended by adding a
2.6 subdivision to read:

2.7 Subd. 1a. **Pre-1978 structures.** Any firm performing renovation as defined by Code
2.8 of Federal Regulations, title 40, section 745.83, on a residential structure or child-occupied
2.9 facility constructed prior to 1978 must comply with section 326B.106, subdivision 14.

2.10 **EFFECTIVE DATE.** This section is effective February 1, 2011.