

HOUSE RESEARCH

Bill Summary

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Overview

Articles 2 through 13 implement Executive Order 193 which consolidated various code enforcement and licensing functions in the Department of Labor and Industry. These articles also adopt uniform code and licensing enforcement provisions and provide that penalties collected by the Construction Code and Licensing Division will be added to the assigned risk safety account in the Worker's Compensation Fund.

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Article 1: Jobs and Economic Development Appropriations

- 1** **Jobs and economic development appropriations.** Summarizes total appropriations from the general, workforce development fund, remediation, petroleum tank cleanup, and workers compensation funds.
- 2** **Jobs and economic development.** Provides for appropriations for the first and second years of the 2008 -2009 biennium.
- 3** **Department of Employment and Economic Development.** Makes appropriations from the general, remediation, and workforce development funds.
- 4** **Department of Commerce.** Makes appropriations from the general, petroleum cleanup, and workers compensation funds.
- 5** **Transfer; renewable development grants.** Provides for the transfer of \$2.5 million each year from a utility to the department of commerce to promote renewable energy projects as

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specified.

- 6 **Transfer; renewable energy research.** Provides for the transfer of \$5 million each year from a utility to the department of commerce for renewable energy research grants..
- 7 **Housing finance agency.** Makes general fund appropriations for housing programs.
- 8 **Explore Minnesota Tourism.** Makes general fund appropriations for tourism programs.
- 9 **Department of Labor and Industry.** Makes appropriations from the general, workers compensation, and workforce development funds.
- 10 **Bureau of mediation services.** Makes general fund appropriations for services and grants.
- 11 **Workers compensation court of appeals.** Makes appropriations from the workers compensation fund.
- 12 **Minnesota historical society.** Makes general fund appropriations for specified purposes.
- 13 **Board of the arts.** Makes general fund appropriations for specified purposes.
- 14 **Board of accountancy.** Makes general fund appropriations
- 15 **Board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design.** Makes general fund appropriations
- 16 **Board of barber examiners.** Makes general fund appropriations
- 17 **Minnesota boxing commission.** Makes general fund appropriation for transition.
- 18 **Public utilities commission.** Makes general fund appropriations
- 19 **Residential mortgage originator licensing requirement.** (b) Requires that an applicant for a license to originate mortgage loans be organized legally as a business entity, such as a corporation, and not simply an individual. The applicant must be approved as a mortgage lender by HUD or Fannie Mae. The applicant must have a minimum net worth of at least \$250,000 or a surety bond of at least \$100,000.
- (c) Eliminates current exemptions that apply to individuals (since individuals would not be eligible to be licensed anyway), and adds new exemptions, including occasional lenders, financial institutions, government, and pension plan loans to participants.
- 20 **Residential mortgage servicer licensing requirements.** Eliminates obsolete language. Eliminates an exemption for mortgage servicer licensing, since the party exempted is an individual, who is not eligible for licensing under this bill.
- 21 **Exemptions from licensure.** Makes conforming changes in cross-references.
- 22 **Application contents.** (a) Makes conforming changes.
- (b) and (c) Makes conforming changes to specify what must be on an application for licensure, or submitted with it, given the changes in sections 1 and 9 of this bill.
- 23 **Waiver.** Gives the commissioner authority to waive a requirement for a license application for good cause and submit substituted information.
- 24 **Exemption.** Eliminates a reference to a provision repealed later in this bill.
- 25 **Amounts.** Increases the license fee for mortgage originators.
- 26 **Examinations.** Gives the commissioner the power to do financial examinations of mortgage originators and servicers on the same basis as banks and other financial businesses regulated by the commissioner.
- 27 **Education requirement.** Requires that each employee or independent contractor of a licensed mortgage originator have 16 hours of approved training prior to beginning work. The training must cover state and federal laws that govern mortgage lending.
- 28 **Registration or notice filing fee.** Reduces by \$600,000 the amount refunded to securities firms out of the registration or filing fees paid by the sponsors of mutual funds.

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- 29 Grant account.** Moves the contaminated site cleanup and development grant account to the special revenue fund from the general fund.
- 30 Commissioner discretion; redevelopment grant.** Eliminates the requirement that grants in the metro area are made only if the commissioner determines that Greater Minnesota grants are less than the available funds.
- 31 Priorities; redevelopment grant.** Authorizes the commissioner to consider factors other than the five characteristics listed in current law, including the net return of public benefits. Grants must be distributed to distribute money within and outside the metropolitan area. Twenty five percent or more of the funds for grants must be for sites outside the metropolitan area, unless applications from Greater Minnesota account for less than 25 percent of the funds.
- 32 Other duties.** Sets arbitrator application fees at \$100 per year effective July 1, 2007.
- 33 Deposit of revenues.** Changes the account for the deposit of revenue from county contaminated site cleanup to the special revenue fund from the general fund.
- 34 Fees.** Increases the credit services organization registration fee to \$1,000 from \$100.
- 35 Family rental housing.** Authorizes grants, including grants for operating costs of public housing.
- 36 Contribution requirement.** Adds housing proposals as a use for challenge grants.
- 37 Residential mortgage fraud.** Prohibits fraud and establishes a penalty.
- 38 License renewal extension.** Extends the 2007 renewal date for current license holders, due to the changes made in this bill.
- 39 Repealer.** Repeals a current law that requires a bond or letter of credit smaller than what is required in this bill. It applies only to mortgage originators with respect to their mortgage servicing activities.

Article 2: Revisor Instruction

- 1 Revisor instruction.** Instructs the revisor to change references in Minnesota Rules to reflect changes made in the bill.

Article 3: General

- 1 Fire Code rulemaking.** Transfers the authority to promulgate a State Fire Code from the commissioner of public safety to the commissioner of labor and industry.
- 2 Definitions.** Defines "ASME," "commissioner," "department," "day," "individual," and "person" for purposes of new chapter 326B governing building codes.
- 3 Powers.** Provides that the responsibilities for the following areas are transferred from the named agency to the Department of Labor and Industry:
- From Department of Administration; state building code, construction of low-cost manufactured home park storm shelters, manufactured homes, and statutory warranties in connection with the sale of dwellings and home improvement work.
 - From the Department of Health; state plumbing code and licensing and water conditioning contractors and installers.
 - From the Department of Commerce; residential contractors, residential remodelers,

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residential roofers, manufactured home installers and the contractor's recovery fund.

- From the Board of Electricity; state electrical code and licensing.

The state fire marshal is directed to work with the commissioner to improve services. The commissioner is granted rulemaking authority with respect to the responsibilities transferred.

- 4 Construction code fund.** A construction code fund is established as a special revenue fund. Money collected under specified chapters (except penalties) is appropriated to the commissioner for administration and enforcement. Penalties are appropriated to the workers' compensation assigned risk safety account. Provides for transfer of balances in certain separately maintained special revenue funds to the construction code fund.
- 5 Contract for exam administration.** Allows the commissioner to contract with a service to develop and administer examinations, and for a fee to be charged by the service provider without legislative approval.
- 6 Contract inspectors.** Allows the commissioner to contract with elevator inspectors without competitive bidding. The commissioner is not required to adopt rules governing qualifications for elevator inspectors or elevator contractors or to establish elevator standards until the earlier of December 31, 2009, or the completion of the expedited rule-making process.
- 7 Bonds.** Bonds issued under this chapter are not state bonds or contracts.
- 8 Commissioner not subject to subpoena .** The commissioner and staff may not be subpoenaed to provide expert testimony about an inspection except in an enforcement proceeding.

Article 4: Enforcement

- 1 Definitions.** Provides definitions for purposes of consolidated code enforcement section.
- 2 Enforcement.**

Subdivision 1. Commissioner authorized to enforce laws in new consolidated code chapter and laws pertaining to manufactured home sales and manufactured home building code using any enforcement provision in this section, including monetary penalties, in addition to any other means of enforcement provided by law.

Subd. 2. Provides discovery and subpoena powers to the commissioner. Provides for issuance of administrative inspection orders by district courts upon refusal to permit entry for inspection of property.

Subd. 3. Service of documents to be by mail, personal service or consent to service.

Subd. 4. Requests for hearings or reconsideration submitted by fax may not be longer than 15 pages. Faxes must be received by 4:30 PM central time on the due date.

Subd. 5. Method provided for computation of prescribed or allowed time periods.

Subd. 6. Establishes procedures for issuance and required content of a notice of violation. Also provides procedures and required content of a request for reconsideration. Request for reconsideration must be made within 10 days of notice of violation and response to request for reconsideration is required within 15 days of

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the request. If a request for reconsideration is not timely served or faxed, the notice of violation becomes a final order.

Subd. 7. Allows commissioner to issue administrative orders for violations of applicable law and to assess penalties of up to \$10,000 per violation. Penalties may be abated if the violation is corrected within 31 days of the order.

Subd. 8. Provides timeline for request and scheduling of expedited hearing on administrative orders.

Subd. 9. Commissioner may bring actions for injunctive relief without a showing of irreparable harm.

Subd. 10. Provides process for issuing stop orders, required contents of such orders, and process and timeline for appeal of such orders.

Subd. 11. Establishes grounds upon which the commissioner may deny, suspend, limit, place conditions on or revoke permits licenses and the like. Provides that no new application for a permit license or the like may be made within two years of revocation.

Subd. 12. Provides timeline for request and scheduling of hearing on licensing order.

Subd. 13. Allows summary suspension of licenses before period for requesting a hearing has run, and requires summary suspension in specified situations relating to safety and fraud.

Subd. 14. The commissioner may prepare a plan for assessing penalties for administrative orders, stop orders and licensing orders and must provide a 30-day period for public comment on such plan.

Subd. 15. Nothing in this section limits the application of other state or federal laws.

Subd. 16. Violations of applicable law are misdemeanors.

Subd. 17. Failure to pay a penalty is grounds for denial or revocation of all licenses, permits and the like issued by the department.

3 Penalties and contents of orders

Subd. 1. Requires the commissioner to consider the six factors currently applicable to all agencies assessing penalties. These include willfulness of violation, gravity of violation, history of violations, number of violations, economic benefit gained by the violation and other factors that justice may require.

Subd. 2. Required and permitted contents of licensing and administrative orders.

Subd. 3. Provides due dates for penalties in various circumstances.

4 False information. Prohibits making of false statements or omission of material information under applicable law.

5 Litigation cost recovery. Permits award of all or part of state's litigation expenses in actions to enforce orders, for injunctive relief and to compel performance.

6 Revisor's instruction. Renumbers statute authorizing adoption of fire code to locate it with Department of Labor and Industry statutes.

Article 5: Building Codes

- 1 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 2 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 3 **Updates language.**
- 4 **Updates language.**
- 5 **Updates language.**
- 6 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also updates language and strikes provisions now found in elevator code. Strikes reference to enforcement of Code provisions relating to bioprocess piping which was added in 2006.
- 7 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 8 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also removes reference to requirement of report in 2001.
- 9 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also removes reference to Construction Codes Advisory Council.
- 10 **Electronic version of building code.** Permits the state building official to provide either electronic or print versions of the building code to each municipality within the state. Also technical changes.
- 11 **Building officials.** Permits commissioner to establish building official certification criteria by rule. Clarifies composition and terms of members of the Code Administration Oversight Committee. Establishes standards for renewal of building official certification.
- 12 **Surcharge.** Eliminates requirement that all building permit surcharges be deposited in the state special revenue fund for purposes of enforcing the state building code.
- 13 - 16 **Updates language.**
- 17 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 18 **Elevator inspection.** Defines "elevator inspection."
- 19 **Elevator inspector.** Defines "elevator inspector."
- 20 **Limited elevator inspector.** Defines "limited elevator inspector."
- 21 **Reports required.** Mandates reports to the commissioner by persons who serviced, altered, repaired or maintained any elevator from August 1, 2005, to July 31, 2007, and from any owner of an elevator that has not been serviced during that time. Prescribes contents of required reports.
- 22 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 23 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 24 **Technical changes and penalty increase.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also increases the maximum penalty that the commissioner may impose for violations of the elevator code from \$1,000 to \$10,000.
- 25 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also strikes requirement that elevator

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- permit fees must be deposited in the state treasury.
- 26 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Allows commissioner to adopt rules establishing minimum qualifications for limited elevator inspectors.
- 27 **Membership and duties of Construction Codes Advisory Council.** Changes the required membership on the Construction Codes Advisory Council to eliminate representatives of the Health and Commerce Departments. Adds as required members representatives of the Electrical Advisory Council, the high pressured piping industry, the boiler industry, the manufactured housing industry, public utilities suppliers, and local units of government. Eliminates the sunset on the Council. Requires the Council to meet twice a year and makes technical conforming changes.
- 28 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry. Also strikes requirement that filing fees for bonds required by HVAC contractors must be deposited in the state treasury.
- 29 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 30 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 31 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 32 **Definition.** Adds definition of "individual" as a human being for purposes of the manufactured home building code.
- 33 **Definition.** Broadens definition of "person" for purposes of the manufactured home building code.
- 34 **Definition.** Defines "purchaser" as an individual for purposes of the manufactured home building code.
- 35 **Updates reference.** Updates reference to federal law.
- 36 **Amends fee deposit provisions.**
- 37 **Amends fee deposit provisions.**
- 38 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 39 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 40 **Updates language.**
- 41 **Violations.** Provides that willful violators of the manufactured home building code are guilty of gross misdemeanors. Current law provides fines of up to \$3,000 or imprisonment up to one year.
- 42 **Technical changes.** Required in connection with transfer from Department of Administration to Department of Labor and Industry.
- 43 **Clarifying language.**
- 44 **Clarifying language.**
- 45 **Definition.** Adds definition of "individual" as a human being for purposes of chapter 327B, relating to manufactured home sales.
- 46 **Definition.** Adds definition of "licensee" for purposes of chapter 327B, relating to manufactured home sales.
- 47 **Definition.** Adds definition of "limited dealer" or "limited retailer" for purposes of chapter 327B, relating to manufactured home sales.

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- 48** **Definition.** Adds definition of "manufacturing facility" for purposes of chapter 327B, relating to manufactured home sales.
- 49** **Definition.** Adds definition of "owner" in the context of manufactured housing.
- 50** **Definition.** Broadens definition of "person" for purposes of chapter 327B, relating to manufactured home sales.
- 51** **License required.** Extends licensing requirement to every facility manufacturing manufactured homes in Minnesota or for shipment into Minnesota. Adds requirement that dealers in manufactured homes carry liability insurance.
- 52** **Surety bond requirements for licensure.** Clarifies that an applicant for a license to manufacture or sell manufactured homes must secure a surety bond in the applicant's name and the name under which he will be licensed and do business. Requires applicant to obtain a certificate of liability insurance in the amount of \$1 million.
- 53** **Liability insurance.** Requires manufactured home license to name the liability insurance underwriter and contain the policy number.
- 54** **Amends fee deposit provisions.**
- 55** **Background information.** Requires background information with an application for a limited dealer's license to be issued to an owner of a manufactured home park.
- 56** **Service on limited dealer.** Prescribes method for serving a document on a limited dealer.
- 57** **Dealer's obligations.** Requires licensed dealer, limited dealer or manufacturer to notify the commissioner of the occurrence of specified events.
- 58** **Language updated.**
- 59** **Manufactured home installers.** Requires the commissioner to promulgate rules regarding education programs to be required for manufactured home installers.
- 60** **Revisor's instruction.** Renumbers statute to reflect transfer of state building code enforcement from the Department of Administration to the Department of Labor and Industry.

Article 6: Electrical

- 1 - 9** **Clarifying language and technical changes.**
- 10** **Electrical work defined.** Adds work for technology circuits or systems to the definition of electrical work.
- 11** **Supervision requirements clarified.** Provides greater specificity concerning requirements for supervision of an unlicensed individual doing electrical work. Substitutes "individual" for "person."
- 12** **Clarifying language.**
- 13** **Clarifying language and technical changes.**
- 14** **Updated reference.** Updates reference to the National Electrical Code.
- 15** **Board of Electricity becomes Electrical Advisory Council.** This section changes the Board of Electricity to the Electrical Advisory Council. Appointments to the Council will be by the commissioner rather than the governor. The Council will include only one public member (rather than two) and will also include one Department of Labor and Industry employee. The Council must form a complaint committee, a technical committee, and a technical program committee. Composition and responsibilities of these committees is provided. Requires Council to meet at least four times per year. Amends duties to reflect advisory nature of Council.

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16 Electrician licenses.

Subdivision 1. Clarifying language and technical changes.

Subd. 2. Clarifying language and technical changes.

Subd. 3. Provides that no new Class A installer licenses will be issued after December 1, 2007.

Subd. 3a. Clarifying language and technical changes.

Subd. 3b. Clarifying language and technical changes.

Subd. 3c. Clarifying language and technical changes.

Subd. 3d. Clarifying language and technical changes and licensing provisions removed.

Subd. 4. Clarifying language and technical changes. Adds four classes of special electrician licenses.

Subd. 5. Clarifying language and technical changes. Also provides that a licensed individual supervising an unlicensed individual is responsible for ensuring that the work complies with the Minnesota Electrical Act.

Subd. 6. Clarifying language.

Subd. 6a. Increases the amount of the electrical contractor bond from \$5,000 to \$25,000. Technical changes.

Subd. 6b. Increases the property damage insurance limits required to be maintained by electrical contractors from \$25,000 to \$50,000. Technical changes.

Subd. 6c. Clarifies requirements for responsible licensed individual.

Subd. 7. Clarifying language and technical changes. Provides that an individual whose license is revoked must retake the licensing exam if more than two years elapses between the revocation and the application for a new license.

Subd. 8. Moves license fees from rule to statute.

Subd. 8a. Provides that the commissioner shall adopt rules governing continuing education requirements and provides that the commissioner will enforce current continuing education requirements until new rules are effective.

Subds. 9 and 10. References to license enforcement by board deleted.

Subd. 11. Changes reciprocity for licensees from other states to comity.

Subd. 12. Clarifies supervision requirements for unlicensed maintenance electricians. Updates cross-references.

17 Technical changes.

18 Technical changes.

19 Technical changes and updated references.

20 Bond added. Adds a requirement that inspectors must hold licenses as master or journeyman electricians and must post \$1,000 bond.

21 Technical changes.

22 Technical changes.

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- 23 **Technical changes and update cross-references.**
- 24 **Technical changes and update cross-references.**
- 25 **Maximum number of separate inspections.** Provides means of calculating the maximum number of separate inspections. Increases minimum fee for each separate inspection from \$20 to \$35. Increases fees for specified inspections and investigations. Makes technical changes.
- 26 **Technical changes and update cross-references.**
- 27 **Technical changes.**
- 28 **Update cross-references.**
- 29 **Definitions.** Relocated definitions relating to the electrical act.
- 30 **Revisor's instruction.** Renumbers statutes to reflect the transfer of responsibility from the Board of Electricity to the Department of Labor and Industry.

Article 7: Plumbing

- 1 **Clarifying language.**
- 2 **Clarifying language.**
- 3 **Plumber's apprentice.** Term changed to "plumber's trainee."
- 4 **Plumbing plan review agreements.** Establishes standards for agreements between the commissioner and municipalities for municipal inspections and plan reviews required by the plumbing code. Exempts existing agreements with municipalities from the new standards. Also technical changes.
- 5 **Technical changes.** Also provides that local regulation may not include the requirement of an additional bond or additional liability insurance.
- 6 **Technical changes.**
- 7 **Technical changes.** Clarifying language.
- 8 **Apprentice.** Changes "plumber's apprentice" to "plumber's trainee." Requires that plumber's trainees be supervised by a master or journeyman plumber. Other clarifying language. Establishes application procedures and fee for registration as plumber's trainee.
- 9 **Technical changes.**
- 10 **Transfer fees from rule to statute.**
- 11 **Purpose.** States purpose of state regulation of plumbing.
- 12 **Definitions.** Provides definitions of "direct supervision," "municipality" and "plumbing code."
- 13 **Revisor instruction.** Renumbers statutes to reflect transfer of plumbing code enforcement and licensing from the Department of Health to the Department of Labor and Industry.

Article 8: Water Conditioning Contractors and Installers

- 1 - 4 **Technical and clarifying language.**
- 5 **Technical and clarifying language.** Clarifies that the bond and insurance requirements in statute are deemed to meet the bond and insurance requirements of a municipality.
- 6 - 9 **Corrects cross-references**
- 10 **Moves fees from rule to statute.**
- 11 **Updates language.**
- 12 **Clarifies purpose of definitions.**
- 13 **Revisor instruction.** Renumbers statutes to reflect transfer of water conditioner contractor licensing from the Department of Health to the Department of Labor and Industry.

Article 9: Residential Building Contractors and Remodelers

- 1 - 3 **Clarifying language.**
- 4 **Definition.** The definition of "owner," for purposes of law relating to residential contractors and remodelers, is changed to mean a person who has any legal or equitable interest in real property.
- 5 **Definition.** The definition of "roofer," for purposes of law relating to residential contractors and remodelers, is limited to "residential roofer."
- 6 **Specialty contractors.** Exterior plaster and stucco is removed from the list of general installation specialties.
- 7 **Clarifying language.**
- 8 **Information required.** Lists information that must be provided to the commissioner by licensees or applicants for licenses as residential building contractors, remodelers, or roofers, including current address, change in ownership or control of business, and information relating to solvency and criminal convictions. Definition of "owner" for work done by owners is clarified.
- 9 **Manufactured home installers.** Exclusions from regulation eliminated; however, provides that the commissioner may waive licensure requirements for manufactured home installers who hold unexpired certificates from other states or U.S. jurisdictions.
- 10 **Deletes obsolete reference.**
- 11 **Amends reference.** Permits verification of license by electronic communication. Reduces the licensing fee for residential contractors and remodelers from \$100 to \$70.
- 12 **Continuing education.** Requirements moved from rules to statute.
- 13 **Clarification.** Clarifies that there is no notice required to terminate the license of a licensee who fails to replace a "qualifying person" within 120 days.
- 14 **Application and examination.** Language clarified and updated.
- 15 **Updates statutory reference.**
- 16 **Update.** Updates statute to reflect amended enforcement provisions.
- 17 **Update.** Updates statute to reflect amended enforcement provisions.
- 18 **Updates statutory reference.** Also requires a political subdivision to notify the department when an application for a building permit for construction of new residential real estate is received from an unlicensed person.
- 19 **Clarifies method for service of process.**
- 20 **Bonds and insurance.** Increases bond required for residential roofers from \$5,000 to \$15,000. Requires manufactured home installers to post a bond of at least \$2,500. Increases required liability insurance from \$100,000 to \$300,000 for residential contractors and remodelers, residential roofers, and manufactured home installers.
- 21 **Advertising.** Requires licensees to include license numbers on Web site and Internet ads.
- 22 **Language clarification.**
- 23 **Language clarification.**
- 24 **Scope.** New sections 326B.801 to 326B.825 apply to residential contractors, residential remodelers, residential roofers, and manufactured home installers.
- 25 **Reciprocity.** The commissioner is permitted to waive pre-license education and examination requirements for a person holding a comparable valid license from another jurisdiction.
- 26 **Written contract.** Requires a written contract covering performance of services by a licensee and provides items required to be covered in the contract.
- 27 **Denial of license.** Provides that chapter 364 (which requires that persons not be disqualified from obtaining occupational licenses by reason of prior criminal convictions) does not apply

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to an applicant for a license when the prior criminal act would be grounds for denial of the license.

28 Continuing education. Defines terms for purposes of continuing education provisions.

29 Contractor recovery fund. Recodifies and clarifies contractor recovery fund procedures. Increases the accelerated claim limit from \$15,000 to \$50,000. Increases contractor recovery fund fees. Raises limits on payments from the fund.

30 Revisor instruction. Renumbers statutes to reflect transfer of residential contractors and remodelers enforcement and licensing from the Department of Commerce to the Department of Labor and Industry.

Article 10: Boilers Pressure Vessels and Boats

1 - 11 Updated and clarifying language.

12 Electronic format. Provides that applications for licenses may be made available in electronic format. Updates language.

13 Notice to owner. Requires immediate notification to owner if deficiencies are found on inspection of boilers or pressure vessels.

14 Updated and clarifying language.

15 Reduces fees for master's licenses.

16 Reduces fees for boiler engineers.

17 Reduces fees for certificate of competency for inspectors.

18 Late fee. Provides for a late fee of up to \$100 for inspection fees not paid on time.

19 - 27 Updated and clarifying language.

28 Inspection personnel. Provides for employment of inspection personnel and appointment of a chief boiler inspector. Establishes qualifications for chief boiler inspector.

29 Boats. Provides for permitting and licensing of boats and boat masters.

30 Revisor instruction. Renumbers statutes to reflect transfer of boiler, pressure vessel and boat inspection and licensing to the construction code and licensing division of the Department of Labor and Industry.

Article 11: High Pressure Piping

1 Technical changes.

2 Definition. Adds a definition of "contracting pipefitter" for purposes of laws relating to pipefitting.

3 Definition. Adds a definition of "high pressure steam" for purposes of laws relating to pipefitting.

4 Definition. Adds a definition of "journeyman pipefitter" for purposes of laws relating to pipefitting.

5 Definition. Adds a definition of "pipefitter trainee" for purposes of laws relating to pipefitting.

6 Agreement with municipality. Provides that the commissioner may enter into an agreement with a municipality to perform inspections and issue permits relating to high pressure piping systems under specified conditions. Sets the filing fee for permits at \$100 and establishes method for calculation of inspection fees.

7 Updated and clarifying language. Requires registration of pipefitter trainees and limits registration as a trainee to four years. Prescribes the registration process for pipefitter trainees and sets the application fee at \$50. Provides a schedule of license fees for

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- pipefitters.
- 8 Renewal applications.** Requires annual renewals of high pressure pipefitters competency licenses.
- 9 Revisor's instruction.** Renumbers statutes to reflect transfer of high pressure piping regulation and licensing to the construction code and licensing division of the Department of Labor and Industry.

Article 12: Conforming Changes

- 1 - 19 Miscellaneous.** Various conforming changes, language updates and clarifications.

Article 13: Repealer

- 2 Repealer.**
- 3 Effective date.** This act is effective December 1, 2007, except when otherwise specified.