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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1186

02/23/2015 Authored by Lueck, Anzelc, Dill and Metsa

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy

03/12/2015 Adoption of Report: Amended and re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance

1.1 A bill for an act
1.2 relating to labor and industry; exempting mining companies from electrical
1.3 licensing; amending Minnesota Statutes 2014, section 326B.33, subdivision 21.

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

1.5 Section 1. Minnesota Statutes 2014, section 326B.33, subdivision 21, is amended to
1.6 read:

1.7 Subd. 21. **Exemptions from licensing.** (a) An individual who is a maintenance
1.8 electrician is not required to hold or obtain a license under sections 326B.31 to 326B.399 if:

1.9 (1) the individual is engaged in the maintenance and repair of electrical equipment,
1.10 apparatus, and facilities that are owned or leased by the individual's employer and that are
1.11 located within the limits of property operated, maintained, and either owned or leased by
1.12 the individual's employer;

1.13 (2) the individual is supervised by:

1.14 (i) the responsible master electrician for a contractor who has contracted with the
1.15 individual's employer to provide services for which a contractor's license is required; or

1.16 (ii) a licensed master electrician, a licensed maintenance electrician, an electrical
1.17 engineer, or, if the maintenance and repair work is limited to technology circuits or
1.18 systems work, a licensed power limited technician; and

1.19 (3) the individual's employer has on file with the commissioner a current certificate
1.20 of responsible person, signed by the responsible master electrician of the contractor, the
1.21 licensed master electrician, the licensed maintenance electrician, the electrical engineer, or
1.22 the licensed power limited technician, and stating that the person signing the certificate
1.23 is responsible for ensuring that the maintenance and repair work performed by the
1.24 employer's employees complies with the Minnesota Electrical Act and the rules adopted

2.1 under that act. The employer must pay a filing fee to file a certificate of responsible person
2.2 with the commissioner. The certificate shall expire two years from the date of filing. In
2.3 order to maintain a current certificate of responsible person, the employer must resubmit a
2.4 certificate of responsible person, with a filing fee, no later than two years from the date
2.5 of the previous submittal.

2.6 (b) Employees of a licensed electrical or technology systems contractor or other
2.7 employer where provided with supervision by a master electrician in accordance with
2.8 subdivision 1, or power limited technician in accordance with subdivision 7, paragraph
2.9 (a), clause (1), are not required to hold a license under sections 326B.31 to 326B.399
2.10 for the planning, laying out, installing, altering, and repairing of technology circuits or
2.11 systems except planning, laying out, or installing:

2.12 (1) in other than residential dwellings, class 2 or class 3 remote control circuits that
2.13 control circuits or systems other than class 2 or class 3, except circuits that interconnect
2.14 these systems through communication, alarm, and security systems are exempted from
2.15 this paragraph;

2.16 (2) class 2 or class 3 circuits in electrical cabinets, enclosures, or devices containing
2.17 physically unprotected circuits other than class 2 or class 3; or

2.18 (3) technology circuits or systems in hazardous classified locations as covered by
2.19 chapter 5 of the National Electrical Code.

2.20 (c) Companies and their employees that plan, lay out, install, alter, or repair class
2.21 2 and class 3 remote control wiring associated with plug or cord and plug connected
2.22 appliances other than security or fire alarm systems installed in a residential dwelling are
2.23 not required to hold a license under sections 326B.31 to 326B.399.

2.24 (d) Heating, ventilating, air conditioning, and refrigeration contractors and their
2.25 employees are not required to hold or obtain a license under sections 326B.31 to 326B.399
2.26 when performing heating, ventilating, air conditioning, or refrigeration work as described
2.27 in section 326B.38.

2.28 (e) Employees of any electrical, communications, or railway utility, cable
2.29 communications company as defined in section 238.02, or a telephone company as defined
2.30 under section 237.01 or its employees, or of any independent contractor performing work
2.31 on behalf of any such utility, cable communications company, or telephone company, shall
2.32 not be required to hold a license under sections 326B.31 to 326B.399:

2.33 (1) while performing work on installations, materials, or equipment which are owned
2.34 or leased, and operated and maintained by such utility, cable communications company, or
2.35 telephone company in the exercise of its utility, antenna, or telephone function, and which:

3.1 (i) are used exclusively for the generation, transformation, distribution, transmission,
3.2 or metering of electric current, or the operation of railway signals, or the transmission
3.3 of intelligence and do not have as a principal function the consumption or use of electric
3.4 current or provided service by or for the benefit of any person other than such utility, cable
3.5 communications company, or telephone company; and

3.6 (ii) are generally accessible only to employees of such utility, cable communications
3.7 company, or telephone company or persons acting under its control or direction; and

3.8 (iii) are not on the load side of the service point or point of entrance for
3.9 communication systems;

3.10 (2) while performing work on installations, materials, or equipment which are a part
3.11 of the street lighting operations of such utility; or

3.12 (3) while installing or performing work on outdoor area lights which are directly
3.13 connected to a utility's distribution system and located upon the utility's distribution poles,
3.14 and which are generally accessible only to employees of such utility or persons acting
3.15 under its control or direction.

3.16 (f) An owner shall not be required to hold or obtain a license under sections 326B.31
3.17 to 326B.399.

3.18 (g) Companies and their employees licensed under section 326B.164 shall not be
3.19 required to hold or obtain a license under sections 326B.31 to 326B.399 while performing
3.20 elevator work.

3.21 (h) A mining company holding a permit to mine under section 93.481 and its
3.22 employees shall not be required to hold or obtain a license under sections 326B.31 to
3.23 326B.399 while performing work incidental to mining operations. Notwithstanding this
3.24 exemption, an individual registered with the commissioner under subdivision 13 and
3.25 currently working for a mining company while seeking licensure under subdivision 1 or
3.26 2, may have hours of work certified to the commissioner by a master electrician or an
3.27 electrical engineer who is working for the company in Minnesota and knowledgeable
3.28 about the individual's work.