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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 491

01/28/2021 Authored by Koegel
The bill was read for the first time and referred to the Committee on Labor, Industry, Veterans and Military Affairs Finance and Policy

1.1 A bill for an act
1.2 relating to labor and industry; establishing licensing for journeyworker insulators;
1.3 proposing coding for new law in Minnesota Statutes, chapter 326B.

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

1.5 Section 1. 326B.60 DEFINITIONS.

1.6 Subdivision 1. Scope. For the purposes of sections 326B.60 to 326B.64, the terms defined
1.7 in this section have the meanings given them.

1.8 Subd. 2. Building. "Building" means a commercial, industrial, or residential building,
1.9 structure, or facility, but does not include a residential building, structure, or facility that
1.10 contains three or fewer residential units.

1.11 Subd. 3. Commissioner. "Commissioner" means the commissioner of labor and industry.

1.12 Subd. 4. Mechanic. "Mechanic" means a person who installs or maintains thermal system
1.13 insulation in heating, ventilating, cooling, plumbing, and refrigerated systems.

1.14 Subd. 5. Minor repair. "Minor repair" means the installation, renovation, removal, or
1.15 maintenance of less than ten continuous linear feet of thermal system insulation.

1.16 Subd. 6. Thermal system insulation. "Thermal system insulation" means a product that
1.17 is used in a heating, ventilating, cooling, plumbing, or refrigeration system to insulate any
1.18 hot or cold surface, including a pipe, duct, valve, boiler, flue, or tank, or equipment at a
1.19 facility. Thermal system insulation means only mechanical systems and does not include:

1.20 (1) refractory materials;

1.21 (2) preinsulated duct products or preinsulated pipe products from the manufacturer;

2.1 (3) wall or ceiling insulation; or

2.2 (4) batt or blown-in insulation.

2.3 **Sec. 2. [326B.61] JOURNEYWORKER INSULATOR LICENSE REQUIREMENTS.**

2.4 Subdivision 1. **License required.** (a) No person shall install, renovate, replace, or  
 2.5 maintain thermal system insulation as a journeyworker insulator unless licensed by the  
 2.6 commissioner.

2.7 (b) Individuals must meet the following requirements in order to acquire a journeyworker  
 2.8 insulator license from the commissioner:

2.9 (1) completion of 8,000 hours, spread over at least four years, of experience installing,  
 2.10 renovating, removing, or maintaining thermal system insulation, verified by the individual's  
 2.11 employer or employers; and

2.12 (2) successful passage of the thermal system insulation examination. The commissioner  
 2.13 shall issue rules governing the content and administration of the examination. The  
 2.14 commissioner shall administer the thermal system examination.

2.15 Subd. 2. **Fee.** Individuals wishing to obtain a journeyworker insulator's license shall pay  
 2.16 the fees outlined in Minnesota Statutes, section 326B.092.

2.17 Subd. 3. **Exceptions.** Subdivision 1 does not apply to individuals who make only minor  
 2.18 repairs to thermal system insulation.

2.19 Subd. 4. **Continuing education requirement.** Licensed journeyworker insulators must  
 2.20 earn a minimum of eight hours of continuing education credits per year from curriculum  
 2.21 approved by the commissioner.

2.22 Subd. 5. **Renewal.** All licensed individuals must renew their licenses annually. The fees  
 2.23 for renewal of licenses are as outlined under Minnesota Statutes, section 326B.092. An  
 2.24 individual or contractor who fails to renew a license by the expiration date is unlicensed  
 2.25 until the license is renewed.

2.26 **Sec. 3. [326B.62] REGISTRATION REQUIREMENT FOR UNLICENSED**  
 2.27 **INDIVIDUALS.**

2.28 Subdivision 1. **Registration required for unlicensed individuals.** Individuals lacking  
 2.29 a thermal system insulation journeyworker license who install, renovate, replace, or maintain  
 2.30 thermal system insulation in heating, ventilation, cooling, plumbing, and refrigeration  
 2.31 systems must:

3.1 (1) register with the commissioner and pay the fees outlined in Minnesota Statutes,  
3.2 section 326B.092, for the purposes of which, registration of an unlicensed individual shall  
3.3 be considered an entry-level license; or

3.4 (2) be employed as a registered apprentice in the thermal insulation trade under an  
3.5 apprenticeship agreement approved by the commissioner under Minnesota Rules, chapter  
3.6 5200.

3.7 Subd. 2. **Direct supervision; ratios.** (a) Each unlicensed individual installing, renovating,  
3.8 removing, or maintaining thermal system insulation in heating, ventilation, cooling, plumbing,  
3.9 and refrigeration systems, shall work under the direct supervision of licensed journeyworker  
3.10 insulators.

3.11 (b) On any project, the ratio of licensed journeyworker insulators to unlicensed individuals  
3.12 installing, renovating, removing, or maintaining thermal system insulation in heating,  
3.13 ventilation, cooling, plumbing, and refrigeration systems, must be one licensed journeyworker  
3.14 to one unlicensed individual for the first unlicensed individual, and three licensed  
3.15 journeyworkers to each unlicensed individual after the first.

3.16 Subd. 3. **Application; renewal.** Applications for initial registration may be submitted  
3.17 at any time. Registration must be renewed annually and shall be effective for the period  
3.18 from July 1 of each year to June 30 of the following year. Applications for renewal  
3.19 registration must be received by the commissioner by June 30 of each registration period  
3.20 on forms provided by the commissioner, and must be accompanied by the fees required  
3.21 under Minnesota Statutes, section 326B.092, for the purposes of which, registration of an  
3.22 unlicensed individual shall be considered an entry level license.

3.23 Sec. 4. **[326B.63] INSPECTION.**

3.24 Except where a political subdivision has by ordinance provided for thermal system  
3.25 insulation inspection similar to that provided in this chapter, every new thermal system  
3.26 insulation installation, renovation, removal, or maintenance, except minor repair work, may  
3.27 be inspected for compliance with accepted standards of construction for safety to life and  
3.28 property.

3.29 Sec. 5. **[326B.64] PENALTIES.**

3.30 Subdivision 1. **License suspension.** The commissioner may suspend or revoke the license  
3.31 of a license holder for any violation of this chapter or any rules adopted under it.

4.1 Subd. 2. **Civil penalty.** The commissioner may impose a civil penalty on any person or  
4.2 entity violating this chapter or any rules adopted under it.

4.3 Subd. 3. **Fines.** The commissioner may impose fines of up to \$500 per violation to any  
4.4 person or entity violating this chapter or any rules adopted under it.

4.5 **Sec. 6. EFFECTIVE DATE.**

4.6 This act is effective January 1, 2022.