

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2044

(SENATE AUTHORS: LANG and Ruud)

DATE	D-PG	OFFICIAL STATUS
03/13/2017	1364	Introduction and first reading
		Referred to Jobs and Economic Growth Finance and Policy
02/20/2018	6138	Author added Ruud

1.1 A bill for an act
 1.2 relating to construction licensing; modifying employment requirements for
 1.3 unlicensed individuals and journeyman electricians; amending Minnesota Statutes
 1.4 2016, section 326B.33, subdivisions 2, 12.

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

1.6 Section 1. Minnesota Statutes 2016, section 326B.33, subdivision 2, is amended to read:

1.7 Subd. 2. **Journeyman electrician.** (a) Except as otherwise provided by law, no individual
 1.8 shall perform and supervise any electrical work except for planning or laying out of electrical
 1.9 work unless:

1.10 (1) the individual is licensed by the commissioner as a journeyman electrician; and

1.11 (2) the electrical work is:

1.12 (i) for a contractor and the individual is an employee, partner, or officer of the licensed
 1.13 contractor; or

1.14 (ii) performed under the supervision of a master electrician also employed by the
 1.15 individual's employer on electrical wiring, apparatus, equipment, or facilities that are owned
 1.16 or leased by the employer and that are located within the limits of property operated,
 1.17 maintained, and either owned or leased by the employer.

1.18 (b) The licensed individual under paragraph (a) may be employed by a different licensed
 1.19 electrical contractor or an employer who has a contract with a licensed electrical contractor
 1.20 if the individual complies with the following:

1.21 (1) laws requiring workers' compensation;

1.22 (2) laws requiring unemployment compensation;

2.1 (3) laws requiring employment taxes;

2.2 (4) the work is supervised according to section 326B.31, subdivision 16; and

2.3 (5) the work of the individual is performed according to section 326B.35.

2.4 An individual licensed to perform the electrical work being supervised or the employer
 2.5 of the individual providing supervision according to section 326B.31, subdivision 16, shall
 2.6 report or verify the journeyman electrician hours.

2.7 ~~(b)~~ (c) An applicant for a Class A journeyman electrician license shall have had at least
 2.8 four years of experience, acceptable to the commissioner, in wiring for, installing, and
 2.9 repairing electrical wiring, apparatus, or equipment, provided however, that one year of
 2.10 experience credit for the successful completion of a two-year post high school electrical
 2.11 course approved by the commissioner may be allowed.

2.12 ~~(e)~~ (d) As of August 1, 1985, no new Class B journeyman electrician licenses shall be
 2.13 issued. An individual who holds a Class B journeyman electrician license as of August 1,
 2.14 1985, may retain and renew the license and exercise the privileges it grants, which include
 2.15 electrical work limited to single phase systems, not over 200 amperes in capacity, on
 2.16 farmsteads or on single-family dwellings located in towns or municipalities with fewer than
 2.17 2,500 inhabitants.

2.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.19 Sec. 2. Minnesota Statutes 2016, section 326B.33, subdivision 12, is amended to read:

2.20 Subd. 12. **Unlicensed individuals.** (a) An unlicensed individual means an individual
 2.21 who has not been licensed by the department to perform specific electrical work. An
 2.22 unlicensed individual shall not perform electrical work required to be performed by a licensed
 2.23 individual unless the individual has first registered with the department as an unlicensed
 2.24 individual. Thereafter, an unlicensed individual shall not perform electrical work required
 2.25 to be performed by a licensed individual unless the work is performed under the direct
 2.26 supervision of an individual actually licensed to perform such work. The licensed individual
 2.27 and unlicensed individual ~~must be employed by the same employer~~ may be employed by
 2.28 different licensed electrical contractors or an employer who has a contract with a licensed
 2.29 electrical contractor if the individual complies with the following:

2.30 (1) laws requiring workers' compensation;

2.31 (2) laws requiring unemployment compensation;

2.32 (3) laws requiring employment taxes;

- 3.1 (4) the work is supervised according to section 326B.31, subdivision 16;
3.2 (5) the work of the individual is performed according to section 326B.35; and
3.3 (6) if the employee is a registered apprentice, the requirements of chapter 178 are
3.4 followed.

3.5 An individual licensed to perform the electrical work being supervised or the employer
3.6 of the individual providing supervision according to section 326B.31, subdivision 16, shall
3.7 report or verify the unlicensed individual's hours.

3.8 Licensed individuals shall not permit unlicensed individuals to perform electrical work
3.9 except under the direct supervision of an individual actually licensed to perform such work.
3.10 Unlicensed individuals shall not supervise the performance of electrical work or make
3.11 assignments of electrical work to unlicensed individuals. Except for technology circuits or
3.12 systems work, licensed individuals shall supervise no more than two unlicensed individuals.
3.13 For technology circuits or systems work, licensed individuals shall supervise no more than
3.14 three unlicensed individuals.

3.15 (b) Notwithstanding any other provision of this section, no individual other than a master
3.16 electrician or power limited technician shall plan or lay out electrical wiring, apparatus, or
3.17 equipment for light, heat, power, or other purposes, except circuits or systems exempted
3.18 from personal licensing by subdivision 21, paragraph (b).

3.19 (c) Contractors employing unlicensed individuals to perform electrical work shall maintain
3.20 records establishing compliance with this subdivision that shall identify all unlicensed
3.21 individuals performing electrical work, except for individuals working on circuits or systems
3.22 exempted from personal licensing by subdivision 21, paragraph (b), and shall permit the
3.23 department to examine and copy all such records.

3.24 (d) When a licensed individual supervises the electrical work of an unlicensed individual,
3.25 the licensed individual is responsible for ensuring that the electrical work complies with
3.26 the Minnesota Electrical Act and all rules adopted under the act.

3.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.