
CHAPTER 604-H.F.No.1329

An act relating to licensed employments; licensing and regulation of master plumbers; regulation and licensing of contracting steamfitters; amending Minnesota Statutes 1976, Sections 326.40 and 326.48.

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

Section 1. Minnesota Statutes 1976, Section 326.40, is amended to read:

326.40 LICENSING, BOND AND INSURANCE. Subdivision 1. PLUMBERS MUST BE LICENSED IN CERTAIN CITIES; MASTER AND JOURNEYMAN PLUMBERS; PLUMBING ON ONE'S OWN PREMISES; RULES FOR EXAMINATION. In any city now or hereafter having 5,000 or more population, according to the last federal or state census, and having a system of waterworks or sewerage, no person, firm, or corporation shall engage in or work at the business of a master plumber or journeyman plumber unless licensed to do so by the state board of health. A master plumber may also work as a journeyman plumber. Anyone not so licensed may do plumbing work which complies with the provisions of the minimum standard prescribed by the state board of health on premises or that part of premises owned and actually occupied by him as his residence, unless otherwise forbidden to do so by a local ordinance.

In any such city no person, firm, or corporation shall engage in the business of installing plumbing nor install plumbing in connection with the dealing in and selling of plumbing material and supplies unless at all times a licensed master plumber, who shall be responsible for proper installation, is in charge of the plumbing work of ~~such~~ the person, firm, or corporation.

The ~~state board department~~ of health shall prescribe rules ~~and regulations~~, not inconsistent herewith, for the examination and licensing of plumbers.

Subd. 2. MASTER PLUMBERS LICENSE; BOND AND INSURANCE REQUIREMENTS. The applicant for a master plumber license may give bond to the state in the total penal sum of \$2,000 conditioned upon the faithful and lawful performance of all work entered upon him within the state. The bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of performance. The term of the bond shall be concurrent with the term of the license. The bond shall be filed with the secretary of state and shall be in lieu of all other license bonds to any political subdivision. The bond shall be written by a corporate surety licensed to do business in the state.

In addition, each applicant for a master plumber license or renewal thereof, may provide evidence of public liability insurance, including products liability insurance with limits of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000. The insurance shall be written by an insurer

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licensed to do business in the state of Minnesota and each licensed master plumber shall maintain on file with the state board of health a certificate evidencing the insurance providing that the insurance shall not be cancelled without the insurer first giving 15 days written notice to the board. The term of the insurance shall be concurrent with the term of the license. The certificate shall be in lieu of all other certificates required by any political subdivision for licensing purposes.

Subd. 3. BOND AND INSURANCE EXEMPTION. A master plumber who is an employee of a master plumber or who is an employee engaged within the limits of property owned, leased and operated, or maintained by his employer, in the maintenance and repair of plumbing equipment, apparatus, or facilities owned or leased by the employer, shall not be required to meet the bond and insurance requirements of subdivision 2.

Subd. 4. ALTERNATIVE COMPLIANCE. Compliance with the local bond requirements of a locale within which work is to be performed shall be deemed to satisfy the bond and insurance requirements of subdivision 2.

Subd. 5. FEE. The state board of health may charge each applicant for a master plumber license or for a renewal of a master plumber license and an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivision 2.

Sec. 2. Minnesota Statutes 1976, Section 326.48, is amended to read:

326.48 STEAMFITTERS MUST BE LICENSED. Subdivision 1. No person, firm, or corporation shall engage in or work at the business of a contracting steamfitter or journeyman steamfitter unless licensed to do so by the department of labor and industry. No license shall be required for minor repairs on existing installations, provided ~~such~~ the repairs shall be made in compliance with the prescribed minimum standards of the department of labor and industry. A contracting steamfitter may also work as a journeyman steamfitter.

No person, firm, or corporation shall engage in the business of installing high pressure steam piping, nor install high pressure steam piping in connection with the dealing in and selling of high pressure steam material and supplies, unless, at all times, a licensed steamfitter, who shall be responsible for proper installation, is in charge of the high pressure steamfitting work of ~~such~~ the person, firm, or corporation.

The department of labor and industry shall prescribe rules ~~and regulations~~, not inconsistent herewith, for the examination and licensing of steamfitting.

Subd. 2. CONTRACTING STEAMFITTERS LICENSE; BOND AND INSURANCE REQUIREMENTS. The applicant for a contracting steamfitter license may give bond to the state in the total penal sum of \$2,000 conditioned upon the faithful and lawful performance of all work entered upon by him within the state. The bond shall be for the benefit of persons injured or suffering financial loss by reason of failure of performance. The term of the bond shall be concurrent with the term of the license. The

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bond shall be filed with the secretary of state of the state and shall be in lieu of all other license bonds to any political subdivision. The bond shall be written by a corporate surety licensed to do business in the state.

In addition, each applicant for a contracting steamfitter's license or renewal thereof, may provide evidence of public liability insurance, including products liability insurance, with limits of at least \$50,000 per person and \$100,000 per occurrence and property damage insurance with limits of at least \$10,000. The insurance shall be written by an insurer licensed to do business in the state and each licensed contracting steamfitter shall maintain on file with the department, a certificate evidencing the insurance which provides that the insurance shall not be cancelled without the insurer first giving 15 days written notice to the board. The term of the insurance shall be concurrent with the term of the license. The certificate shall be in lieu of all other certificates required by any political subdivision for licensing purposes.

Subd. 3. BOND AND INSURANCE EXEMPTION. A contracting steamfitter who is an employee of a contracting steamfitter or who is an employee engaged within the limits of property owned, leased and operated, or maintained by his employer, in the maintenance and repair of high pressure steam work, equipment, or facilities owned or leased by the employer, shall not be required to meet the bond and insurance requirements of subdivision 2.

Subd. 4. ALTERNATIVE COMPLIANCE. Compliance with the local bond requirements of a locale within which work is to be performed shall be deemed to satisfy the bond and insurance requirements of subdivision 2.

Subd. 5. FEE. The state department of labor and industry may charge each applicant for a contracting steamfitter license or for a renewal of a contracting steamfitter license and an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivision 2.

Approved March 28, 1978.

CHAPTER 605-H.F.No.1394

[Coded]

An act relating to natural resources; establishing a fish refuge after an agreement with the state of Wisconsin; amending Minnesota Statutes 1976, Chapter 99, by adding a section.

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

Section 1. Minnesota Statutes 1976, Chapter 99, is amended by adding a section to read:

[99.29] FISH REFUGE; ESTABLISHMENT. Subdivision 1. The portion of the Mississippi river downstream from lock and dam No. 3 located at milepost 796.9 above

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