

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1746

03/11/2015 Authored by Hamilton

The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to health; altering license requirements for well construction; amending
1.3 Minnesota Statutes 2014, section 103I.205, subdivision 4, by adding a
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2014, section 103I.205, subdivision 4, is amended to read:

1.7 Subd. 4. **License required.** (a) Except as provided in paragraph (b), (c), (d), or (e),
1.8 section 103I.401, subdivision 2, or section 103I.601, subdivision 2, a person may not
1.9 drill, construct, repair, or seal a well or boring unless the person has a well contractor's
1.10 license in possession.

1.11 (b) A person may construct, repair, and seal a monitoring well if the person:

1.12 (1) is a professional engineer licensed under sections 326.02 to 326.15 in the
1.13 branches of civil or geological engineering;

1.14 (2) is a hydrologist or hydrogeologist certified by the American Institute of
1.15 Hydrology;

1.16 (3) is a professional geoscientist licensed under sections 326.02 to 326.15;

1.17 (4) is a geologist certified by the American Institute of Professional Geologists; or

1.18 (5) meets the qualifications established by the commissioner in rule.

1.19 A person must register with the commissioner as a monitoring well contractor on
1.20 forms provided by the commissioner.

1.21 (c) A person may do the following work with a limited well/boring contractor's
1.22 license in possession. A separate license is required for each of the six activities:

1.23 (1) installing or repairing well screens or pitless units or pitless adaptors and well
1.24 casings from the pitless adaptor or pitless unit to the upper termination of the well casing;

2.1 (2) constructing, repairing, and sealing drive point wells or dug wells;

2.2 (3) installing well pumps or pumping equipment;

2.3 (4) sealing wells;

2.4 (5) constructing, repairing, or sealing dewatering wells; or

2.5 (6) constructing, repairing, or sealing bored geothermal heat exchangers.

2.6 (d) A person may construct, repair, and seal an elevator boring with an elevator
2.7 boring contractor's license.

2.8 (e) Notwithstanding other provisions of this chapter requiring a license or
2.9 registration, a license or registration is not required for a person who complies with the
2.10 other provisions of this chapter if the person is:

2.11 (1) an individual who constructs a well on land that is owned or leased by the
2.12 individual and is used by the individual for farming or agricultural purposes or as the
2.13 individual's place of abode;

2.14 (2) an individual who performs labor or services for a contractor licensed or
2.15 registered under the provisions of this chapter in connection with the construction, sealing,
2.16 or repair of a well or boring at the direction and under the personal supervision of a
2.17 contractor licensed or registered under the provisions of this chapter; or

2.18 (3) a licensed plumber who is repairing submersible pumps or water pipes associated
2.19 with well water systems if the repair location is within an area where there is no licensed
2.20 or registered well contractor within 25 50 miles and the licensed plumber complies with
2.21 all of the requirements of this chapter and all relevant sections of the plumbing code.

2.22 Sec. 2. Minnesota Statutes 2014, section 103I.205, is amended by adding a subdivision
2.23 to read:

2.24 Subd. 10. **Revision of prior work.** The commissioner may not require a person who
2.25 possesses a valid well contractor's license at the time a well has been drilled, constructed,
2.26 or sealed to redo any of the work performed under the license once a period of ten years
2.27 has elapsed since the date the work was completed.