



# Ken Peterson to lead Labor and Industry

Governor Mark Dayton has appointed **Ken Peterson**, pictured at right, as the commissioner of the Department of Labor and Industry, a position Peterson also had from 1988 to 1990.

“I have known, worked with and respected Ken Peterson for almost 30 years,” Dayton said. “He is one of the most dedicated and effective public servants I have ever known. He brings exceptional experience and expertise back to the agency he has led before.”

“It is a thrill to be back serving the people of Minnesota,” said Peterson. “I look forward to aiding Governor Dayton in his commitment to protecting the hard-working men and women of Minnesota in the workplace, and ensuring Minnesota stays the great place to work that it is.”



**Ken Peterson**

Peterson has served the people of Minnesota in multiple capacities for several decades. He was the executive director of the Minnesota Public Interest Research Group (MPIRG), deputy commissioner of the Minnesota Department of Public Service and the Department of Labor and Industry, commissioner of the Department of Labor and Industry, deputy mayor and mayor’s chief of staff of the city of St. Paul, and director of the St. Paul Department of Planning and Economic Development. His most recent public service was in the Minnesota Attorney General’s office, where he was deputy attorney general for Government Operations.

## **Kris Eiden named deputy commissioner; Jessica Looman named assistant commissioner**



**Kris Eiden**

**Kris Eiden** is the Department of Labor and Industry’s new deputy commissioner. She is an attorney who has worked in both the private and public sectors.

Eiden served as chief deputy attorney general in the Minnesota Attorney General’s Office from 2003 to 2007, and deputy attorney general for four years prior to that. She was an attorney in private practice from 1991 to 1998, primarily representing regulated businesses. Most recently, Eiden taught paralegal students at a local business college.

**Jessica Looman** is the new assistant commissioner at DLI and will help direct the work of both the Construction Codes and Licensing Division and the Apprenticeship and Labor Standards units.

Previously, she served as General Counsel of the Laborers District Council of Minnesota and North Dakota for more than 10 years.

While there, Looman addressed important workplace issues such as drug and physical testing, workers’ compensation, prevailing wage, apprenticeship training, workforce diversity, unemployment insurance and misclassification of workers.



**Jessica Looman**

## Home warranty disputes

### Warranty dispute resolution process in effect

#### New procedure strives to reduce litigation expenses for builders, remodelers and homeowners

In its 2010 session, the Minnesota legislature enacted legislation creating a home warranty dispute resolution process homeowners and builders or home improvement contractors are required to employ before a homeowner warranty dispute may proceed to litigation pursuant to Minn. Stat. 327A (unless the parties agree to use an alternative dispute resolution mechanism).

The new home warranty dispute resolution process is only required in cases where the builder or home improvement contractor has complied with all of the notice and opportunity to repair (NOR) provisions of the warranty law.

If the builder or home improvement contractor fails to comply with the NOR requirements regarding inspection and offer to repair, the homeowner is not obligated to use a dispute resolution process before commencing litigation.

[Read more ...](#)

» View all the details of the home warranty dispute resolution process on DLI's website at [www.dli.mn.gov/CCLD/ene.asp](http://www.dli.mn.gov/CCLD/ene.asp)

## Stay current

### Building officials: help us keep your e-mail address and phone number current

The state municipal building official list is online at [www.dli.mn.gov/CCLD/PDF/bc\\_bo\\_list.pdf](http://www.dli.mn.gov/CCLD/PDF/bc_bo_list.pdf)

If a change is needed, please contact Cindy Chapel at [cynthia.chapel@state.mn.us](mailto:cynthia.chapel@state.mn.us).

Notices are often sent to building officials via e-mail. Municipalities should also report building official designation changes to [Cindy Chapel](#) at CCLD. More information and the applicable forms are online at [www.dli.mn.gov/CCLD/Official.asp](http://www.dli.mn.gov/CCLD/Official.asp)

Visit the [contact us](#) page to find phone numbers and e-mail addresses for DLI staff.

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Receive e-mail notification when an issue is available by [subscribing online](#).

### Contact information

**CCLD main phone number**  
(651) 284-5012

[Visit the Contact Us page](#)

#### Licensing information

[DLI.License@state.mn.us](mailto:DLI.License@state.mn.us)  
Business/Contractor Licenses and Bonds: (651) 284-5034  
(Including: Electrical, HPP, Plumbing, Residential, Manufactured Structures, Mechanical Bonds, Technology System, Water Conditioning)

#### Personal Licenses and

**Certificates:** (651) 284-5031  
(Including: Boiler Engineers, Electricians, Plumbers, Power Limited Technicians, Pipefitters, Unlicensed Individuals)

#### Building Code information

Phone: (651) 284-5012  
Toll-free: 1-800-657-3944  
Fax: (651) 284-5749  
TTY: (651) 297-4198

#### Electrical information

Phone: (651) 284-5026  
Fax: (651) 284-5749  
[DLI.Electricity@state.mn.us](mailto:DLI.Electricity@state.mn.us)

#### Boiler, High-Pressure Piping, Boats-for-Hire inspection

Phone: (651) 284-5544  
Fax: (651) 284-5737  
[DLI.Code@state.mn.us](mailto:DLI.Code@state.mn.us)

#### Plumbing information

Phone: (651) 284-5063  
Fax: (651) 284-5748  
[DLI.Plumbing@state.mn.us](mailto:DLI.Plumbing@state.mn.us)

#### Residential Building Cont.

Phone: (651) 284-5069  
Fax: (651) 284-5749  
[DLI.Contractor@state.mn.us](mailto:DLI.Contractor@state.mn.us)

#### Independent Contractor Exemption Cert. information

Phone: (651) 284-5074  
[DLI.ic@state.mn.us](mailto:DLI.ic@state.mn.us)

# Contractor insurance policy requirements change

Insurance companies must provide DLI notice of policy cancellation or nonrenewal

Minnesota’s insurance laws (M.S. 60A.36) changed Jan. 1, 2011, so that a contractor’s or business’ insurance company must provide DLI written notice of a policy cancellation or nonrenewal, subject to the terms of the policy. Policyholders must notify their insurance company, through an endorsement on the policy, that DLI is to be notified if the insurance policy is canceled or not renewed.

Minnesota Department of Labor and Industry  
CCLD Licensing and Certification Services  
443 Lafayette Road North  
St. Paul, MN 55155

## Liability insurance is required

Businesses and contractors issued licenses by DLI must “have and maintain” general liability insurance coverage for the license to be valid. This means the business or contractor must have a general liability insurance policy in effect when a license is issued and maintain continuous liability insurance coverage throughout the license period.

## Cancellation notice

In the event of a policy cancellation, insurers are required by law to send a written notice to the department “at the same time that a cancellation request is received from or a notice is sent to the insured.” Notice to DLI is required to be made if the insurance company cancels or non-renews the policy, subject to the terms of the policy.

## Policy endorsement

Before an insurance company can notify the department of a policy cancellation or non-renewal, it needs to know who and where to send the notice. The licensed business or contractor must notify the insurer, through an endorsement to the insurance policy, that the department will be notified if the insurance company cancels or non-renews the policy. DLI’s name and address is and should appear as the certificate holder as:

## ACORD form accepted

Because of changes in the cancellation notice language of the ACORD Certificate of Liability Insurance and notification requirement for cancellation or non-renewal of liability insurance, DLI will now accept the most recent version of the ACORD Certificate of Liability Insurance form (ACORD 25 2010/05) as evidence of insurance coverage. The content on the certificate must include:

- the insurance company name and its NAIC number;
- policyholder’s legal name, assumed name (dba) if applicable, and physical address;
- policy information including policy number, effective date, expiration date, and policy limits;
- insurance agent information and signature; and
- DLI identified as the certificate holder.

## Enforcement

Any licensed business or contractor failing to keep their liability insurance coverage in effect is immediately presumed to be unlicensed and, as such, prohibited from acting or holding themselves out as a licensed business or contractor. Unlicensed activity is a misdemeanor and will result in enforcement action against the business or contractor, including a civil penalty of up to \$10,000 for each violation. Licensed businesses and contractors that discontinue their liability insurance coverage must terminate their license by returning the license certificate to the department.

## View the mandatory liability insurance laws for Minnesota’s construction trades

### 326B.33, Subd. 16

- Electrical contractor
- Elevator contractor
- Technology system contractor

### 326B.46, Subd. 2

- Plumbing contractor

### 326B.921, Subd. 6

- High-pressure-piping business

### 327B.04, Subd. 4(c)(2)

- Manufactured home Manufacturer
- Manufactured home dealer
- Manufactured home dealer subAgency

### 326B.56, Subd. 2(b)

- Water conditioning contractor

### 326B.86, Subd. 2

- Residential building contractor
- Residential remodeler
- Residential roofer
- Manufactured home installer

# Plumbing contractor licensing changes are coming



Beginning Jan. 1, 2012, DLI will license individuals and businesses that perform or offer to perform plumbing work, with or without compensation, as a licensed plumbing contractor or licensed restricted plumbing contractor. Master plumbers and restricted master plumbers will no longer “hold” the license for a plumbing contractor, but rather will be the “responsible master” for the contractor. The plumbing contractor, as a business entity, shall “hold” the license for itself.

The Minnesota Legislature made this change in 2010 to align regulation of plumbing contractors with that of electrical contractors, high-pressure-piping contractors, elevator contractors, residential roofers, technology system contractors and residential building contractors. The law clarifies that business entities contracting to perform plumbing work shall be directly accountable for their business actions as a contractor.

## Licensure of plumbing contractors

Although plumbing contractors have filed bonds and liability insurance with DLI and the Department of Health for many years, they have been doing it on behalf of their master plumber. A plumbing contractor’s license was actually the master plumber’s license, not the business’ license. [The Minnesota legislature in 2010 shifted this responsibility to the plumbing contractor](#) as a business entity rather than leave it with the master plumber. The change goes into effect with the license period starting Jan. 1, 2012.

Information [currently provided by plumbing contractors when filing a bond and liability insurance](#) will not change. This information includes:

- contractor name, address information, contact information
- federal and state business, employer and tax identification numbers
- business name filing(s) with the Minnesota Secretary of State
- business disclosure of owners, partners, officers, or members
- responsible licensed master plumber or restricted master plumber
- plumbing contractor code compliance bond
- certificate of liability insurance
- certificate of compliance with Minnesota workers’ compensation laws

The primary differences plumbing contractors will experience in 2012 are:

- **License number:** Each licensed plumbing contractor will be issued a license number that will remain with the licensed business entity as long as it remains licensed. This will eliminate use of the master plumber’s license as the plumbing contractor’s number.
- **Responsible licensed plumber:** Each licensed plumbing contractor will designate a master plumber or restricted master plumber as its “responsible licensed plumber.” This individual must have a current, active master license and be responsible for the contractor’s compliance with Minnesota’s plumbing laws and code. The restrictions about who may be the responsible licensed plumber for a plumbing contractor are [referenced in summary tables on DLI’s website](#).
- **New bond:** Because the license is new, each licensed plumbing contractor must submit a new [plumbing contractor code compliance bond](#) for the license period starting Jan. 1, 2012. Bonds currently in effect that expire Dec. 31, 2011, will be unacceptable for the license period starting Jan. 1, 2012.

## Refinery boilers

### Legislation would change refinery boiler inspection timeline

Proposed legislation will allow Minnesota petroleum refineries to have their boilers inspected **internally** biennially instead of annually.

The boilers would still require an annual inspection but the internal inspection would be allowed once every 24 months.

The proposed legislation also implements guidelines for the water treatment program for the boilers. These must be met in order to qualify for the 24 month internal inspection frequency.

#### Excerpt of the proposed language:

**Subd. 1. Biennial internal inspection for petroleum refineries.** In lieu of the annual internal inspection of high-pressure steam boilers required by section 326B.958, high-pressure steam boilers located at petroleum refineries not using a solid fuel may qualify for biennial internal inspection if the chief boiler inspector has approved a water treatment program for the boilers. The boilers must still be externally inspected at least every 12 months by an inspector holding a current certificate of competency. At the time of the external inspection, the inspector must review the water treatment program and water treatment log from the previous year. The chief engineer of the refinery must meet annually with the chief boiler inspector to review the program and water treatment log, and to discuss any program deficiencies.

## Code books

### New code books are available

#### New construction code laws

The new edition of the [Construction Codes and Licensing Laws](#) is now available from Minnesota's Bookstore. This book contains Minnesota Statutes Chapter 326B relating to the following areas: enforcement, State Building Code, elevators, interstate building compact, mechanical bond, electrical, plumbing, high-pressure piping, and boilers. [Read more ...](#)

#### New residential contractor laws and rules

This book contains Minnesota Statutes Chapter 326B.59-.89 and Minnesota Rules Chapter 2891. [Read more at Minnesota's Bookstore ...](#)

#### General information about building codes

Minnesota's Bookstore is a resource for other building codes and related materials. [View more books and documents related to construction codes and licensing available at Minnesota's Bookstore.](#)

For additional help or to place an order by phone, contact [Minnesota's Bookstore](#) at 1-800-657-3757.

## Contact us

Find **contact phone numbers and e-mail addresses** for CCLD staff on the DLI website at [www.dli.mn.gov/cclcd/CCLDcontactus.asp](http://www.dli.mn.gov/cclcd/CCLDcontactus.asp).

Also available are links to DLI's License Lookup, licensing forms and applications, and information about continuing education.

## Social media

### Stay current with updates from DLI

- Follow DLI on Twitter at [www.twitter.com/mndli](http://www.twitter.com/mndli)
- Sign up for rulemaking notifications affecting CCLD trades and others at [www.dli.mn.gov/Rulemaking.asp](http://www.dli.mn.gov/Rulemaking.asp)
- Subscribe to DLI's RSS feed to be instantly notified of news at [www.dli.mn.gov/rss/rss.xml](http://www.dli.mn.gov/rss/rss.xml)
- Sign up for other DLI newsletters focusing on workers' compensation, OSHA and more at [www.dli.mn.gov/publications.asp](http://www.dli.mn.gov/publications.asp)
- View DLI's YouTube channel at [www.youtube.com/user/mndli1](http://www.youtube.com/user/mndli1)



# Common building plan review questions answered by CCLD staff

The questions below are part of an ongoing series featuring frequently asked questions received by CCLD's [Building Plan Review Section](#). The responses are the opinions of the plan review staff and do not represent an official division or state building official interpretation.

**Q:**

**Are all the routes to accessible building entrances required to have a maximum 1:20 slope?**

**A:**

**No.** A walk with a maximum slope of 1:20 is required from (1) accessible parking to the accessible entrance and (2) accessible route between buildings on the same site. All other accessible entrances, not served by accessible parking are allowed to have a maximum 1:12 ramp as an element of their accessible route.

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**Q:**

**Does CCLD Building Plan Review have jurisdiction on charter schools?**

**A:**

**No.** Charter schools do not fall under the definition of “public building” in Minn. Statutes 326B.103 Subd. 11, as they are not a “school district building project” and therefore are not under CCLD jurisdiction

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**Q:**

**Is a smoke/fire damper required at the top of a shaft where it terminates at the floor of a penthouse?**

**A:**

**No.** Assuming that the penthouse complies with the requirements of IBC Sec. 1509.2 for size, height and use, then it is a just another area of the roof, despite being enclosed.

## Verify a license

### Use DLI's online tools to verify a license, certificate or registration

DLI's online License Lookup tool allows users to check the status of numerous different licenses, certificates, registrations and bonds.

To see the full list of searchable items, visit [www.dli.mn.gov/cclid/LicVerify.asp](http://www.dli.mn.gov/cclid/LicVerify.asp)

Or to view a specific searchable database:

- [Click here to verify a personal license](#)
- [Click here to verify a contractor license](#)



**License Lookup** ▶

## 'NEC' - continued from Page 1

**250.53(A)(2) Rod, Pipe, and Plate Electrodes, Supplemental Electrode Required.** A single rod, pipe or plate used as grounding electrode must now be supplemented by another permitted electrode unless the single electrode has a resistance to earth of 25 ohms or less. Other acceptable electrodes include the metal frame of the building, a ground ring, a concrete encased electrode or an additional single rod, pipe or plate. The resistance to ground must be demonstrated if only one electrode is intended to constitute the grounding electrode system.

**314.27 Outlet Boxes.** (C) Boxes at ceiling suspended (paddle) fan outlets. When a spare conductor is installed from the switch location to a ceiling mounted outlet box, the outlet box shall be listed for the support of a ceiling-suspended (paddle) fan. This requirement applies to single-family and multi-family dwellings in locations where a ceiling-suspended (paddle) fan is likely to be installed.

**334.10 Uses Permitted for Type NM cable.** This change permits NM cable to be installed in attached and detached garages as well as storage buildings at one- and two-family dwellings without being protected by a 15-minute finish rating material.

**338.10 (B)(4) SE Cable.** The change in Article 338 allows the ampacity of Type SE cable installed as feeders or branch circuits to be considered at the 75°C rating where it is not installed in thermal insulation. The ampacity is still limited to 60°C where installed in thermal insulation.

**404.2 (C) Switches Controlling Lighting Loads.** In all occupancies, the grounded circuit conductor is now required at each switch location. There are exceptions for raceway systems that are sized large enough to allow an additional conductor to be installed and for cable installation where the addition of the grounded circuit conductor is practicable. An example would be type NM cable installed where the wall, floor or ceiling is unfinished on one side.

**406.4(D)(4) Receptacle Replacement Requirements.** Where receptacles are replaced they must now comply with the same requirements as new installations. Listed tamper-resistant and weather-resistant receptacles must be installed for replacements in those locations where it is currently required. This is in addition to the existing requirement for GFCI protection where otherwise required and the provisions for the replacement of non-grounding type receptacles. AFCI protection will also be required for receptacle replacements effective Jan. 1, 2014.

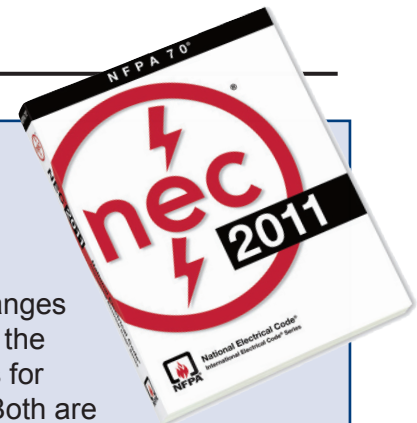
### More 2011 NEC information

More details about the reasoning behind the changes are available in copies of the proposals and comments for the 2011 revision cycle. Both are available as a free download from NFPA.

- [Download the Report for Proposals](#)
- [Download the Report on Comments](#)

Nov. 4, 2011, is the deadline for submitting proposals for the 2014 NEC. Ideas and experiences to be considered for the code-making process may be [submitted on a proposal form](#).

Minnesota's Bookstore now stocks the [2011 National Electrical Code](#) and the [2011 National Electrical Code Handbook](#).



**406.12 Tamper Resistant Receptacle Exceptions.** Receptacles located within dedicated space for an appliance that is not easily moved from one place to another are no longer required to be listed tamper resistant. There is also an exception for a receptacle located more than 5'6" above the floor or that are part of a luminaire or appliance. Tamper-resistant non-grounding receptacles are not available for replacement purposes and are exempted from the tamper-resistant requirement as well.

**450.14 Transformer Disconnecting Means.** A disconnecting means is required either within sight of the transformer or must be lockable if it's in a location that is not within sight. If the disconnect is not within sight, the location of the disconnecting means shall be field marked on the transformer.

**680.73 Hydromassage Bathtubs.** Receptacle outlets located under the skirt of the hydromassage tub are required to be located within 1 foot of the access and face the access opening.

**Article 694 – Small Wind Electric Systems.** New article covering systems with one or many wind generators, each with an individual capacity not exceeding 100kW. The article applies to systems with AC and DC output, with and without energy storage (batteries) and installations that are interactive with other sources (utilities) as well as stand-alone systems.