

Minnesota Plumbing Board

c/o Minnesota Department of Labor and Industry

443 Lafayette Road North
Saint Paul, MN 55155-4344
dli.cclboards@state.mn.us

May 13, 2025

Representative David Baker
Chair, Workforce, Labor, and Economic Development Finance and Policy
2nd Floor Centennial Office Building
St. Paul, MN 55155

SENT VIA EMAIL

rep.dave.baker@house.mn.gov

Dear Representative Baker,

The Minnesota Plumbing Board (the “Board”) held a special board meeting on Monday May 12, 2025. The purpose of this meeting was to discuss proposed legislation, HF 2882, and the most current language as amended in the House version of the Omnibus Jobs, Labor Economic Development policy and appropriations bill, SF 1832. After discussion of the proposed legislation the Board unanimously approved, with one abstention, a motion for the Board Chair to draft a letter to you summarizing the Board’s thoughts and discussion on the proposed legislation. The consensus that emerged was the Board is in opposition to the proposed legislation as drafted but would support legislation that contained language addressing the Board’s concerns. The following is a summary of the discussion and opinion of the Minnesota Plumbing Board.

The primary purpose of the Plumbing Code is to protect the health of the public. This is accomplished using several different methods. The first is defining the minimum acceptable standards for plumbing systems, ensuring safe and reliable operation of the plumbing system. Training and licensing requirements are another method. The third method is plan review and inspection of installed plumbing systems. These three methods all work together to provide safe functional plumbing systems. If one or more of these methods are removed, the systems can become unstable and lead to an inadequate plumbing system which may pose a threat to public health and safety.

The proposed legislation reviewed by the Board addresses work performed by well contractors who are licensed by the Minnesota Department of Health. Well contractors are exempt from plumbing licensing requirements for a limited scope of work defined in Minnesota Statutes, section 326B.46, subdivision 6. Some of this scope of work is, however, subject to the Minnesota Plumbing Code, and is therefore subject to plan review and inspection by the Minnesota Department of Labor and Industry or a municipality that qualifies as an authority having jurisdiction. Some of this scope of work set forth in section 326B.46, subdivision 6 is also subject to the jurisdiction of the Minnesota Department of Health, which performs plan review and inspection related to wells, but does not ensure compliance with the Plumbing Code. The Board acknowledges that this dual jurisdiction creates challenges for the well contracting industry.

Although the Board acknowledges the challenges, the Board does not support the language of HF 2882 as it currently appears in SF 1832, because the language shared with the Board only removes Department of Labor and Industry oversight related to compliance with the Plumbing Code, without replacement. As noted above,

oversight related to compliance with the Plumbing Code in the form of plan review and inspections is an essential component of protecting the health of the public. The proposed statutory language removes this component without addressing whether the Department of Health, as the other agency with jurisdiction over this work, has any obligation or authority, or the capacity, to ensure compliance with the Plumbing Code. This leaves the Board very concerned that the legislation creates the potential for non-compliance with the Plumbing Code and thus risks to the health of the public.

While the Board does not support the proposed legislation as drafted, the Board's primary concern is that all work subject to the Plumbing Code be subject to plan-review and inspection. Accordingly, the Board may be open to the Department of Health performing that work in limited circumstances such as when the work in question is subject to their jurisdiction, provided that the Department of Health had clear obligations and authority to require compliance with the Plumbing Code as well as capacity for plan review and inspection for this purpose. The Board would, therefore, support legislation authorizing the Department of Labor and Industry to delegate plan review and inspection related to Plumbing Code compliance to the Department of Health in a manner that ensures the Department of Health had the obligation, authority, and capacity to ensure required compliance with the Plumbing Code with respect to any work subject to Minnesota Statutes, section 326B.46, subdivision 6.

Thank you for your time and consideration. Please feel free to contact me if you have any questions or would like to discuss the board's concerns.

Sincerely,

A handwritten signature in blue ink that reads "Richard D. Becker".

Richard Becker, PE

Plumbing Board Chair

richardb@steeneng.com

cc: Adam Case, DLI
Ken, McGurran, DLI
Lyndy Logan, DLI