

**Plumbing Board**  
**Agenda**  
**November 13, 2007 – 1:30 to 4:30 p.m.**  
**Minnesota Room – Department of Labor and Industry**  
**443 Lafayette Road North, Saint Paul**

1. Call to Order, Commissioner's Designee Presiding
2. Welcome by Commissioner Steve Sviggum, Assistant Commissioner Tom Joachim, and State Building Official Tom Anderson
3. Introductions
4. Approval of Meeting Agenda
5. Election of Officers
6. Presentation of Board Handbook
7. Overview of Rulemaking Process
8. Review of Board Powers, Authority, and Responsibilities
  - A) elect its chair, vice-chair, and secretary;
  - B) adopt bylaws that specify the duties of its officers, the meeting dates of the board, and containing such other provisions as may be useful and necessary for the efficient conduct of the business of the board;
  - C) adopt the plumbing code that must be followed in this state and any plumbing code amendments thereto;
  - D) review requests for final interpretations and issue final interpretations of the Minnesota Plumbing Code;
  - E) except for rules regulating continuing education, adopt rules that regulate the licensure or registration of plumbing contractors, journeymen, apprentices, master plumbers, restricted master plumbers, and restricted journeymen and other persons engaged in the design, installation, and alteration of plumbing systems, except for those individuals licensed under sections 326.02, subdivisions 2 and 3;
  - F) advise the commissioner regarding educational requirements for plumbing inspectors;
  - G) refer complaints or other communications to the commissioner, whether oral or written, as provided in subdivision 7, that allege [*allege*] or imply [*imply*] a violation of a statute, rule, or order that the commissioner has the authority to enforce pertaining to code compliance, licensure, or an offering to perform or performance of unlicensed plumbing services;
  - H) approve per diem and expenses deemed necessary for its members;
  - I) approve license reciprocity agreements;
  - J) select from its members individuals to serve on any other state advisory council, board, or committee; and
  - K) recommend the fees for licenses and certifications.

9. New Business
  - A) Discuss possible legislative issues.
  - B) Schedule for review of work of Plumbing Code Advisory Committee, rulemaking
  - C) Process for submittals of requests for rule revisions, rule interpretations, and license reciprocity agreements
  - D) Meeting process
    - i. Agenda on screen
    - ii. Motions on screen
    - iii. Minutes approval process
    - iv. Electronic distribution of materials
    - v. Webpage (e.g., posting of agenda, approved minutes, etc.)
    - vi. Moderator?
10. Open Forum
11. Board Discussion
12. Expense Reimbursement
13. Announcements
  - A) Next Regularly Scheduled Meeting:
14. Adjournment

## **Powers and Duties of the Plumbing Board**

**Subd. 2. Powers; duties; administrative support.** (a) The board shall have the power to:

(1) elect its chair, vice-chair, and secretary;

(2) adopt bylaws that specify the duties of its officers, the meeting dates of the board, and containing such other provisions as may be useful and necessary for the efficient conduct of the business of the board;

(3) adopt the plumbing code that must be followed in this state and any plumbing code amendments thereto. The board shall adopt the plumbing code and any amendments thereto pursuant to chapter 14 and as provided in subdivision 6, paragraphs (b), (c), and (d);

(4) review requests for final interpretations and issue final interpretations as provided in section 16B.63, subdivision 5;

(5) except for rules regulating continuing education, adopt rules that regulate the licensure or registration of plumbing contractors, journeymen, apprentices, master plumbers, restricted master plumbers, and restricted journeymen and other persons engaged in the design, installation, and alteration of plumbing systems, except for those individuals licensed under sections 326.02, subdivisions 2 and 3. The board shall adopt these rules pursuant to chapter 14 and as provided in subdivision 6, paragraphs (e) and (f);

(6) advise the commissioner regarding educational requirements for plumbing inspectors;

(7) refer complaints or other communications to the commissioner, whether oral or written, as provided in subdivision 7, that alleges or implies a violation of a statute, rule, or order that the commissioner has the authority to enforce pertaining to code compliance, licensure, or an offering to perform or performance of unlicensed plumbing services;

(8) approve per diem and expenses deemed necessary for its members as provided in subdivision 3;

(9) approve license reciprocity agreements;

(10) select from its members individuals to serve on any other state advisory council, board, or committee; and

(11) recommend the fees for licenses and certifications.

Except for the powers granted to the Plumbing Board, the Board of Electricity, and the Board of High Pressure Piping Systems, the commissioner of labor and industry shall administer and enforce the provisions of this chapter and any rules promulgated pursuant thereto.

(b) The board shall comply with section 15.0597, subdivisions 2 and 4.

(c) The commissioner shall coordinate the board's rulemaking and recommendations with the recommendations and rulemaking conducted by the other boards created pursuant to chapter 326B. The commissioner shall provide staff support to the board. The support includes professional, legal, technical, and clerical staff necessary to perform rulemaking and other duties assigned to the board. The commissioner of labor and industry shall supply necessary office space and supplies to assist the board in its duties.

**Subd. 3. Compensation.** (a) Members of the board may be compensated at a rate of \$55 a day spent on board activities, when authorized by the board, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. Members who, as a result of time spent attending board meetings, incur child care expenses that would not otherwise have been incurred, may be

reimbursed for those expenses upon board authorization.

(b) Members who are state employees or employees of the political subdivisions of the state must not receive the daily payment for activities that occur during working hours for which they are compensated by the state or political subdivision. However, a state or political subdivision employee may receive the daily payment if the employee uses vacation time or compensatory time accumulated in accordance with a collective bargaining agreement or compensation plan for board activities. Members who are state employees or employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their working hours.

(c) The board shall adopt internal standards prescribing what constitutes a day spent on board activities for purposes of making daily payments under this subdivision.

Subd. 4. **Removal; vacancies.** (a) An appointed member of the board may be removed by the governor at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings. The chair of the board shall inform the governor of an appointed member missing the three consecutive meetings. After the second consecutive missed meeting and before the next meeting, the secretary of the board shall notify the appointed member in writing that the member may be removed for missing the next meeting. In the case of a vacancy on the board, the governor shall, with the advice and consent of the senate, appoint a person to fill the vacancy for the remainder of the unexpired term.

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