

DOLI Bill Moving Language from Rules to Statute, Fee Increases HF 2781/SF 2510

Intent: Remove language from Rules and move to Statute for all Boards under DOLI. Some increases in fees.

Status: 3/25/10: HF 2781 has been included in the House Omnibus Workforce Development bill.

How it Affects MNESTA: This bill affects MNESTA members by changing the fee structure when renewing company and individual licenses. The bill intends to be revenue neutral-raising some fees and lowering others. Electrical contractor fees go up from \$200 to \$280 (proposed fee decrease from \$200 to \$180 plus \$100 filing fee for responsible person), and PLT licenses have increased from \$30 to \$68 (\$40 for 2 years plus \$20 Continuing Ed fee, plus an \$8 board fee, not including the \$5 electronic fee). Met with Commissioner Sviggum on February 26 (MNESTA and CCARSA not contacted regarding fee increases prior to this meeting) to discuss enforcement along with the fee increases. Subdivision 12 that protects Technology System Contractors from employee individual licensing unless performing certain work is left intact. No changes to fees or Subdivision 12.

Action: Stay in contact with Rep. Obermeuller and Commissioner Sviggum. NOTE: There has been discussion on raising inspection fees to cover the monies taken by the State. We will be attending the next Board of Electricity meeting on April 13 to get the status.

Building Code Word-Smithing HF 3048/SF 2928

Intent: Language Clean-up.

Status: House: 3/25/10, Final passage by the House

Senate: 3/29/10, Final passage by the Senate

4/13/10 – Went to Conference Committee

4/22/10 – Presented to Governor

How it Affects MNESTA: Would only help MNESTA by opening up apprenticeship requirements allowing “on the job” acquisition of skills to count towards training.

Action: Monitor and support if needed.

Building Code Word-Smithing HF 2945/SF 2759

Intent: Language Clean-up.

Status: House: 4/6/10, Second reading; on the House Floor.

Senate: 3/29/10, Final passage by the Senate

How it Affects MNESTA: Would not affect MNESTA.

Action: No action.

Observe Performance Guidelines, Warranties, and Repair of Residential Property HF 3386/SF 2832

Intent: Would require “performance guidelines” on certain residential contracts, warranties, notice and opportunity to repair. In other words the guidelines must be disclosed and made part of any contract between a prime or general contractor and the homeowner.

Status: House: 4/19/10, Final passage by the House

Senate: 3/24/10, amendment to disclose the performance guidelines to any Sub-contractor prior to entering into contract between prime/general contractor and owner.

04/21/10: Second Reading on Senate Floor

How it Affects MNESTA: This will affect any company subcontracting to a residential building contractor by having “performance guidelines” as part of the contract between the contractor and customer without having to disclose the guidelines to a sub-contractor. Therefore a sub, by agreeing to work for the prime/general contractor, agrees to the “performance guidelines” without knowing what they are in

advance of signing an agreement. Performance Guidelines are recommended by Home Builders Association. Bill Strusinski, lobbyist for MEA, submitted an amendment (Home Builders not in favor) that was passed by the Economic Development and Housing Budget Division which calls for disclosing the "performance guidelines" to any/all sub-contractors prior to a contract being signed.
Action: We have sent e-mails to the author of the House and Senate bills supporting the language change.

OTHER BILLS WATCHED

Prevailing Wage and Apprenticeship

HF 2628

Intent: Language added to Minnesota Statutes 177.43 limiting participation in prevailing wage bids if not entered into an apprenticeship agreement. Effective date: 6-30-2011

Status: No companion bill as of 3-26-10.

House: 2/4/10: Introduced and Ref: Commerce & Labor

02/9/10: Referred by Chair to Labor and Consumer Protection Division. Bill is essentially dead.

How it Affects MNESTA: This bill would amend statute effectively stopping any contractor/subcontractor from bidding on prevailing wage jobs unless they have entered into an apprenticeship agreement. We view this as a fencing bill by organized labor.

Action: Set up a meeting with Commissioner Sviggum to state our position. Meeting held February 26, Dave Fisch, representing MNESTA. Monitor.

Individual Licensing for Satellite System Installers

HF 2900/SF 2522

Intent: Add language in the Electrical Act for Satellite System installers to have their own license classification.

Status: 2/11/10: Introduced and referred to Commerce & Labor

02/25/10: Referred by Chair to Labor and Consumer Protection Division.

Senate: 2/11/10, Introduced and referred to Business Industry and Jobs. Bill is essentially dead.

How it Affects MNESTA: This bill would only affect MNESTA members if it caused a change to language protecting Technology System Contractors and PLTs. DOLI and the Electrical Board support this bill as a means of getting companies and individuals licensed.

Action: Monitor.

Legislation for Payment to Subcontractors

HF 2393/SF 2163

Intent: Prompt payment of subcontractors. These bills have provisions to pay subcontractors according to the original contract schedule and to require construction lenders to notify contractors of the project owner default on the construction loan so work can stop where there is no possibility of being paid.

Status: This bill was introduced late last year and held over for the 2010 session.

House: 2/25/10, referred by Chair to Commerce & Labor and referred to Labor and Consumer Protection Division.

Senate: No action since the 2009 legislative session. Bill is essentially dead.

How it Affects MNESTA: This bill affects MNESTA members by changing statute to remove the residential exemption for general contractors to give prompt payment to subcontractors.

Action: Monitor and support if needed.

Temporary Extension of Licenses

HF 3516/SF 3279

Intent: During period of current economy, extends period of renewal.

Status: House: 3/8/10, Introduced and referred to Health Care Human Services Finance.

Senate: 3/17/10, Introduced and referred to Business Industry and Jobs. Essentially dead.

How it Affects MNESTA: Extends the license renewal period.

Action: No action.

Change Bond from \$25K to \$5K

HF 2654

Intent: Lower bond requirement

Status: No companion bill.

House: 2/4/10, Introduced and referred to Commerce & Labor

2/9/10: Referred by Chair to Labor and Consumer Protection Division. Essentially dead.

How it Affects MNESTA: Would lower the bond requirement. Will most likely die without companion.

Action: No action.