

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-SECOND SESSION**

**S.F. No. 1098**

(SENATE AUTHORS: PRATT and Rarick)

DATE	D-PG	OFFICIAL STATUS
02/17/2021	430	Introduction and first reading Referred to Jobs and Economic Growth Finance and Policy
04/08/2021	1380a	Comm report: To pass as amended and re-refer to Finance
04/12/2021	2267	Author added Rarick
04/14/2021	2771a	Comm report: To pass as amended
	2779	Second reading
04/15/2021		Special Order: Amended
		Third reading Passed

1.1 A bill for an act

1.2 relating to economic development; labor and industry; appropriating money for

1.3 jobs and economic growth finance; classifying apprenticeship data on minors;

1.4 modifying employee notice requirements; requiring a written warning upon the

1.5 first finding of a violation determined not to be of a serious nature; modifying state

1.6 building code applicability and fire sprinkler requirements for public places of

1.7 accommodation; delaying implementation of the Public Employment Relations

1.8 Board; authorizing the continued operation of businesses during the COVID-19

1.9 pandemic with the use of a COVID-19 safety plan; modifying the Minnesota

1.10 business development public infrastructure grant program; extending certain job

1.11 creation goals for Minnesota investment fund grants during the COVID-19

1.12 pandemic; modifying certain unemployment benefits provisions; amending

1.13 Minnesota Statutes 2020, sections 12.32; 13.7905, by adding a subdivision;

1.14 116J.431, subdivisions 2, 3, by adding a subdivision; 178.012, subdivision 1;

1.15 181.032; 181.101; 181.939; 182.666, subdivision 3; 268.035, subdivision 21c;

1.16 268.085, subdivisions 2, 4a; 268.133; 268.136, subdivision 1; 326B.07, subdivision

1.17 1; 326B.106, subdivision 4; 326B.108, subdivisions 1, 3, by adding a subdivision;

1.18 326B.121, subdivision 2; 326B.133, subdivision 8; 326B.89, subdivision 4; Laws

1.19 2014, chapter 211, section 13, as amended; Laws 2017, chapter 94, article 1, section

1.20 2, subdivision 2, as amended; Laws 2019, First Special Session chapter 7, article

1.21 1, sections 2, subdivision 2, as amended; 3, subdivision 4; Laws 2020, chapter 71,

1.22 article 2, sections 20; 22; 23; proposing coding for new law in Minnesota Statutes,

1.23 chapters 12; 181A; repealing Minnesota Statutes 2020, sections 181.9414; 268.085,

1.24 subdivision 4.

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

1.26 style="text-align:center">**ARTICLE 1**

1.27 style="text-align:center">**APPROPRIATIONS**

1.28 Section 1. **JOBS AND ECONOMIC GROWTH FINANCE.**

1.29 (a) The sums shown in the columns marked "Appropriations" are appropriated to the

1.30 agencies and for the purposes specified in this article. The appropriations are from the

1.31 general fund, or another named fund, and are available for the fiscal years indicated for

2.1 each purpose. The figures "2022" and "2023" used in this article mean that the appropriations  
 2.2 listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023,  
 2.3 respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The  
 2.4 biennium" is fiscal years 2022 and 2023.

2.5 (b) If an appropriation in this article is enacted more than once in the 2021 regular or  
 2.6 special legislative session, the appropriation must be given effect only once.

2.7 **APPROPRIATIONS**

2.8 **Available for the Year**

2.9 **Ending June 30**

2.10 **2022**

**2023**

2.11 **Sec. 2. DEPARTMENT OF EMPLOYMENT**  
 2.12 **AND ECONOMIC DEVELOPMENT**

2.13 **Subdivision 1. Total Appropriation**   **\$ 220,949,000 \$ 115,499,000**

2.14 **Appropriations by Fund**

	<u>2022</u>	<u>2023</u>
2.15 <u>General</u>	<u>187,874,000</u>	<u>83,674,000</u>
2.16 <u>Remediation</u>	<u>700,000</u>	<u>700,000</u>
2.17 <u>Workforce</u>		
2.18 <u>Development</u>	<u>32,375,000</u>	<u>31,125,000</u>

2.19 The amounts that may be spent for each  
 2.20 purpose are specified in the following  
 2.21 subdivisions.

2.22 **Subd. 2. Business and Community Development**   **142,379,000 38,179,000**

2.23 **Appropriations by Fund**

2.24 <u>General</u>	<u>139,329,000</u>	<u>35,129,000</u>
2.25 <u>Remediation</u>	<u>700,000</u>	<u>700,000</u>
2.26 <u>Workforce</u>		
2.27 <u>Development</u>	<u>2,350,000</u>	<u>2,350,000</u>

2.28 (a) \$1,787,000 each year is for the greater  
 2.29 Minnesota business development public  
 2.30 infrastructure grant program under Minnesota  
 2.31 Statutes, section 116J.431. This appropriation  
 2.32 is available until June 30, 2025.

2.33 (b) \$1,425,000 each year is for the business  
 2.34 development competitive grant program. Of  
 2.35

3.1 this amount, up to \$29,000 is for  
3.2 administration and monitoring of the business  
3.3 development competitive grant program. All  
3.4 grant awards shall be for two consecutive  
3.5 years. Grants shall be awarded in the first year.

3.6 (c) \$1,772,000 each year is for contaminated  
3.7 site cleanup and development grants under  
3.8 Minnesota Statutes, sections 116J.551 to  
3.9 116J.558. This appropriation is available until  
3.10 June 30, 2025.

3.11 (d) \$700,000 each year is from the remediation  
3.12 fund for contaminated site cleanup and  
3.13 development grants under Minnesota Statutes,  
3.14 sections 116J.551 to 116J.558. This  
3.15 appropriation is available until June 30, 2025.

3.16 (e) \$139,000 each year is for the Center for  
3.17 Rural Policy and Development.

3.18 (f) \$25,000 each year is for the administration  
3.19 of state aid for the Destination Medical Center  
3.20 under Minnesota Statutes, sections 469.40 to  
3.21 469.47.

3.22 (g) \$875,000 each year is for the host  
3.23 community economic development program  
3.24 established in Minnesota Statutes, section  
3.25 116J.548.

3.26 (h) \$3,000,000 the first year is for a grant to  
3.27 the Minnesota Initiative Foundations. This is  
3.28 a onetime appropriation and is available until  
3.29 June 30, 2025. The Minnesota Initiative  
3.30 Foundations must use grant funds under this  
3.31 section to:

3.32 (1) facilitate planning processes for rural  
3.33 communities resulting in a community solution  
3.34 action plan that guides decision making to

4.1 sustain and increase the supply of quality child  
4.2 care in the region to support economic  
4.3 development;

4.4 (2) engage the private sector to invest local  
4.5 resources to support the community solution  
4.6 action plan and ensure quality child care is a  
4.7 vital component of additional regional  
4.8 economic development planning processes;

4.9 (3) provide locally based training and technical  
4.10 assistance to rural child care business owners  
4.11 individually or through a learning cohort.

4.12 Access to financial and business development  
4.13 assistance must prepare child care businesses  
4.14 for quality engagement and improvement by  
4.15 stabilizing operations, leveraging funding from  
4.16 other sources, and fostering business acumen  
4.17 that allows child care businesses to plan for  
4.18 and afford the cost of providing quality child  
4.19 care; or

4.20 (4) recruit child care programs to participate  
4.21 in Parent Aware, Minnesota's quality and  
4.22 improvement rating system, and other high  
4.23 quality measurement programs. The Minnesota  
4.24 Initiative Foundations must work with local  
4.25 partners to provide low-cost training,  
4.26 professional development opportunities, and  
4.27 continuing education curricula. The Minnesota  
4.28 Initiative Foundations must fund, through local  
4.29 partners, an enhanced level of coaching to  
4.30 rural child care providers to obtain a quality  
4.31 rating through Parent Aware or other high  
4.32 quality measurement programs.

4.33 (i)(1) \$750,000 each year from the workforce  
4.34 development fund is for grants to the  
4.35 Neighborhood Development Center for small

5.1 business programs. This is a onetime  
5.2 appropriation.

5.3 (2) Of the amount appropriated in the first  
5.4 year, \$150,000 is for outreach and training  
5.5 activities outside the seven-county  
5.6 metropolitan area, as defined in Minnesota  
5.7 Statutes, section 473.121, subdivision 2.

5.8 (j) \$8,000,000 each year is for the Minnesota  
5.9 job creation fund under Minnesota Statutes,  
5.10 section 116J.8748. Of this amount, the  
5.11 commissioner of employment and economic  
5.12 development may use up to \$160,000 for  
5.13 administrative expenses. This appropriation  
5.14 is available until June 30, 2025.

5.15 (k) \$11,356,000 each year is for the Minnesota  
5.16 investment fund under Minnesota Statutes,  
5.17 section 116J.8731. Of this amount, the  
5.18 commissioner of employment and economic  
5.19 development may use up to \$225,000 for  
5.20 administration and monitoring of the program.  
5.21 In fiscal year 2024 and beyond, the base  
5.22 amount is \$12,495,000. This appropriation is  
5.23 available until June 30, 2025. Notwithstanding  
5.24 Minnesota Statutes, section 116J.8731, funds  
5.25 appropriated to the commissioner for the  
5.26 Minnesota investment fund may be used for  
5.27 the redevelopment program under Minnesota  
5.28 Statutes, sections 116J.575 and 116J.5761, at  
5.29 the discretion of the commissioner. Grants  
5.30 under this paragraph are not subject to the  
5.31 grant amount limitation under Minnesota  
5.32 Statutes, section 116J.8731.

5.33 (l) \$1,000,000 the first year is for the airport  
5.34 infrastructure renewal (AIR) grant program  
5.35 under Minnesota Statutes, section 116J.439.

6.1 In awarding grants with this appropriation, the  
6.2 commissioner must prioritize eligible  
6.3 applicants that did not receive a grant pursuant  
6.4 to the appropriation in Laws 2019, First  
6.5 Special Session chapter 7, article 1, section 2,  
6.6 subdivision 2, paragraph (q).

6.7 (m) \$1,000,000 each year is for the Minnesota  
6.8 emerging entrepreneur loan program under  
6.9 Minnesota Statutes, section 116M.18. Funds  
6.10 available under this paragraph are for transfer  
6.11 into the emerging entrepreneur program  
6.12 special revenue fund account created under  
6.13 Minnesota Statutes, chapter 116M, and are  
6.14 available until expended. Of this amount, up  
6.15 to \$20,000 is for administration and  
6.16 monitoring of the program.

6.17 (n) \$325,000 each year is for the Minnesota  
6.18 Film and TV Board. The appropriation in each  
6.19 year is available only upon receipt by the  
6.20 board of \$1 in matching contributions of  
6.21 money or in-kind contributions from nonstate  
6.22 sources for every \$3 provided by this  
6.23 appropriation, except that each year up to  
6.24 \$50,000 is available on July 1 even if the  
6.25 required matching contribution has not been  
6.26 received by that date.

6.27 (o) \$12,000 each year is for a grant to the  
6.28 Upper Minnesota Film Office.

6.29 (p) \$500,000 each year is from the general  
6.30 fund for a grant to the Minnesota Film and TV  
6.31 Board for the film production jobs program  
6.32 under Minnesota Statutes, section 116U.26.  
6.33 This appropriation is available until June 30,  
6.34 2025.

7.1 (q) \$4,195,000 each year is for the Minnesota  
7.2 job skills partnership program under  
7.3 Minnesota Statutes, sections 116L.01 to  
7.4 116L.17. If the appropriation for either year  
7.5 is insufficient, the appropriation for the other  
7.6 year is available. This appropriation is  
7.7 available until June 30, 2025.

7.8 (r) \$1,350,000 each year is from the workforce  
7.9 development fund for jobs training grants  
7.10 under Minnesota Statutes, section 116L.42.

7.11 (s) \$250,000 each year is from the workforce  
7.12 development fund for a grant to Youthprise  
7.13 to give grants through a competitive process  
7.14 to community organizations to provide  
7.15 economic development services designed to  
7.16 enhance long-term economic self-sufficiency  
7.17 in communities with concentrated East African  
7.18 populations. Such communities include but  
7.19 are not limited to Faribault, Rochester, St.  
7.20 Cloud, Moorhead, and Willmar. Youthprise  
7.21 must make at least 50 percent of these grants  
7.22 to organizations serving communities located  
7.23 outside the seven-county metropolitan area,  
7.24 as defined in Minnesota Statutes, section  
7.25 473.121, subdivision 2. This is a onetime  
7.26 appropriation.

7.27 (t) \$125,000 each year is from the workforce  
7.28 development fund for a grant to the Hmong  
7.29 Chamber of Commerce to train ethnically  
7.30 Southeast Asian business owners and  
7.31 entrepreneurs in better business practices. Of  
7.32 this amount, up to \$5,000 may be used for  
7.33 administrative costs. This is a onetime  
7.34 appropriation.

8.1 (u) \$200,000 the first year is for a grant to  
 8.2 Little Lakers Day Care Center. Grant funds  
 8.3 must be used to purchase kitchen equipment,  
 8.4 playground equipment, or for other costs  
 8.5 necessary for the operation of a child care  
 8.6 facility in Lake Crystal.

8.7 (v)(1) \$100,000,000 the first year is for the  
 8.8 statewide small business relief loan guarantee  
 8.9 program in article 2, section 13. Of this  
 8.10 amount, \$1,000,000 is for the commissioner  
 8.11 to make grants to QED lenders to provide  
 8.12 technical assistance to borrowers. This is a  
 8.13 onetime appropriation and is available until  
 8.14 December 30, 2024.

8.15 (2) Of the amount appropriated in clause (1),  
 8.16 50 percent is for loans to businesses located  
 8.17 in the seven-county metropolitan area. Of the  
 8.18 amount under this clause, the commissioner  
 8.19 may use a sum sufficient, not to exceed  
 8.20 \$7,000,000, to satisfy the requirements of  
 8.21 article 2, section 13, subdivision 3, clause (7).

8.22 (3) Of the amount appropriated in clause (1),  
 8.23 50 percent is for loans to businesses not  
 8.24 located in the seven-county metropolitan area.  
 8.25 Of the amount under this clause, the  
 8.26 commissioner may use a sum sufficient, not  
 8.27 to exceed \$7,000,000, to satisfy the  
 8.28 requirements of article 2, section 13,  
 8.29 subdivision 3, clause (7).

8.30 (4) Beginning January 1, 2022, any remaining  
 8.31 amount under clause (1) may be used for either  
 8.32 clause (2) or (3).

8.33 **Subd. 3. Employment and Training Programs**

28,936,000

27,686,000



9.1	<u>Appropriations by Fund</u>		
9.2	<u>General</u>	<u>6,796,000</u>	<u>6,796,000</u>
9.3	<u>Workforce</u>		
9.4	<u>Development</u>	<u>22,140,000</u>	<u>20,890,000</u>
9.5	<u>(a) \$250,000 each year is for the higher</u>		
9.6	<u>education career advising program.</u>		
9.7	<u>(b) \$500,000 each year from the general fund</u>		
9.8	<u>and \$500,000 each year from the workforce</u>		
9.9	<u>development fund are for rural career</u>		
9.10	<u>counseling coordinators in the workforce</u>		
9.11	<u>service areas and for the purposes specified</u>		
9.12	<u>under Minnesota Statutes, section 116L.667.</u>		
9.13	<u>(c) \$750,000 each year is for the women and</u>		
9.14	<u>high-wage, high-demand, nontraditional jobs</u>		
9.15	<u>grant program under Minnesota Statutes,</u>		
9.16	<u>section 116L.99. Of this amount, up to</u>		
9.17	<u>\$15,000 is for administration and monitoring</u>		
9.18	<u>of the program.</u>		
9.19	<u>(d) \$1,000,000 each year is from the</u>		
9.20	<u>workforce development fund for a grant to</u>		
9.21	<u>Summit Academy OIC to expand their</u>		
9.22	<u>contextualized GED and employment</u>		
9.23	<u>placement program and STEM program. This</u>		
9.24	<u>is a onetime appropriation.</u>		
9.25	<u>(e) \$150,000 each year is from the workforce</u>		
9.26	<u>development fund for performance grants</u>		
9.27	<u>under Minnesota Statutes, section 116J.8747,</u>		
9.28	<u>to the YWCA of St. Paul to provide job</u>		
9.29	<u>training services and workforce development</u>		
9.30	<u>programs and services, including job skills</u>		
9.31	<u>training and counseling. This is a onetime</u>		
9.32	<u>appropriation.</u>		
9.33	<u>(f) \$213,000 each year is from the workforce</u>		
9.34	<u>development fund for Minnesota Family</u>		
9.35	<u>Resiliency Partnership programs under</u>		

10.1 Minnesota Statutes, section 116L.96. The  
10.2 commissioner, through the adult career  
10.3 pathways program, shall distribute the funds  
10.4 to existing nonprofit and Minnesota Family  
10.5 Resiliency Partnership programs. This is a  
10.6 onetime appropriation.

10.7 (g) \$4,604,000 each year is from the  
10.8 workforce development fund and \$2,546,000  
10.9 each year is from the general fund for the  
10.10 pathways to prosperity competitive grant  
10.11 program. Of this amount, up to \$143,000 is  
10.12 for administration and monitoring of the  
10.13 program.

10.14 (h) \$150,000 each year is from the workforce  
10.15 development fund for grants to the Minnesota  
10.16 Grocers Association Foundation for Carts to  
10.17 Careers, a statewide initiative to promote  
10.18 careers, conduct outreach, provide job skills  
10.19 training, and grant scholarships for careers in  
10.20 the retail food industry. This is a onetime  
10.21 appropriation.

10.22 (i) \$250,000 each year is from the workforce  
10.23 development fund for a grant to the American  
10.24 Indian Opportunities and Industrialization  
10.25 Center, in collaboration with the Northwest  
10.26 Indian Community Development Center, to  
10.27 reduce academic disparities for American  
10.28 Indian students and adults. This is a onetime  
10.29 appropriation. The grant funds may be used  
10.30 to provide:

10.31 (1) student tutoring and testing support  
10.32 services;

10.33 (2) training and employment placement in  
10.34 information technology;

- 11.1 (3) training and employment placement within  
11.2 trades;
- 11.3 (4) assistance in obtaining a GED;
- 11.4 (5) remedial training leading to enrollment  
11.5 and to sustain enrollment in a postsecondary  
11.6 higher education institution;
- 11.7 (6) real-time work experience in information  
11.8 technology fields and in the trades;
- 11.9 (7) contextualized adult basic education;
- 11.10 (8) career and educational counseling for  
11.11 clients with significant and multiple barriers;  
11.12 and;
- 11.13 (9) reentry services and counseling for adults  
11.14 and youth.
- 11.15 After notification to the chairs and minority  
11.16 leads of the legislative committees with  
11.17 jurisdiction over jobs and economic  
11.18 development, the commissioner may transfer  
11.19 this appropriation to the commissioner of  
11.20 education.
- 11.21 (j) \$375,000 each year is from the workforce  
11.22 development fund for a grant to the  
11.23 Construction Careers Foundation for the  
11.24 construction career pathway initiative to  
11.25 provide year-round educational and  
11.26 experiential learning opportunities for teens  
11.27 and young adults under the age of 21 that lead  
11.28 to careers in the construction industry. This is  
11.29 a onetime appropriation. Grant funds must be  
11.30 used to:
- 11.31 (1) increase construction industry exposure  
11.32 activities for middle school and high school  
11.33 youth, parents, and counselors to reach a more

- 12.1 diverse demographic and broader statewide  
12.2 audience. This requirement includes, but is  
12.3 not limited to, an expansion of programs to  
12.4 provide experience in different crafts to youth  
12.5 and young adults throughout the state;
- 12.6 (2) increase the number of high schools in  
12.7 Minnesota offering construction classes during  
12.8 the academic year that utilize a multicraft  
12.9 curriculum;
- 12.10 (3) increase the number of summer internship  
12.11 opportunities;
- 12.12 (4) enhance activities to support graduating  
12.13 seniors in their efforts to obtain employment  
12.14 in the construction industry;
- 12.15 (5) increase the number of young adults  
12.16 employed in the construction industry and  
12.17 ensure that they reflect Minnesota's diverse  
12.18 workforce; and
- 12.19 (6) enhance an industrywide marketing  
12.20 campaign targeted to youth and young adults  
12.21 about the depth and breadth of careers within  
12.22 the construction industry.
- 12.23 Programs and services supported by grant  
12.24 funds must give priority to individuals and  
12.25 groups that are economically disadvantaged  
12.26 or historically underrepresented in the  
12.27 construction industry, including but not limited  
12.28 to women, veterans, and members of minority  
12.29 and immigrant groups.
- 12.30 (k) \$250,000 each year is from the workforce  
12.31 development fund for a grant to Latino  
12.32 Communities United in Service (CLUES) to  
12.33 expand culturally tailored programs that  
12.34 address employment and education skill gaps

13.1 for working parents and underserved youth by  
13.2 providing new job skills training to stimulate  
13.3 higher wages for low-income people, family  
13.4 support systems designed to reduce  
13.5 intergenerational poverty, and youth  
13.6 programming to promote educational  
13.7 advancement and career pathways. At least  
13.8 50 percent of this amount must be used for  
13.9 programming targeted at greater Minnesota.  
13.10 This is a onetime appropriation.

13.11 (l) \$700,000 each year is from the workforce  
13.12 development fund for performance grants  
13.13 under Minnesota Statutes, section 116J.8747,  
13.14 to Twin Cities R!SE to provide training to  
13.15 hard-to-train individuals. This is a onetime  
13.16 appropriation.

13.17 (m) \$875,000 each year is from the workforce  
13.18 development fund for a grant to the Minnesota  
13.19 Technology Association to support SciTech  
13.20 Internship Program, a program that supports  
13.21 science, technology, engineering, and math  
13.22 (STEM) internship opportunities for two- and  
13.23 four-year college students and graduate  
13.24 students in their field of study. The internship  
13.25 opportunities must match students with paid  
13.26 internships within STEM disciplines at small,  
13.27 for-profit companies located in Minnesota  
13.28 having fewer than 250 employees worldwide.  
13.29 At least 200 students must be matched in the  
13.30 first year and at least 200 students must be  
13.31 matched in the second year. No more than 15  
13.32 percent of the hires may be graduate students.  
13.33 Selected hiring companies shall receive from  
13.34 the grant 50 percent of the wages paid to the  
13.35 intern, capped at \$2,500 per intern. The

- 14.1 program must work toward increasing the  
14.2 participation among women or other  
14.3 underserved populations. This is a onetime  
14.4 appropriation.
- 14.5 (n) \$500,000 each year is from the workforce  
14.6 development fund for the Opportunities  
14.7 Industrialization Center programs. This  
14.8 appropriation shall be divided equally among  
14.9 the eligible centers.
- 14.10 (o) \$300,000 each year is from the workforce  
14.11 development fund for a grant to Bridges to  
14.12 Healthcare to provide career education,  
14.13 wraparound support services, and job skills  
14.14 training in high-demand health care fields to  
14.15 low-income parents, nonnative speakers of  
14.16 English, and other hard-to-train individuals,  
14.17 helping families build secure pathways out of  
14.18 poverty while also addressing worker  
14.19 shortages in one of Minnesota's most  
14.20 innovative industries. Funds may be used for  
14.21 program expenses, including but not limited  
14.22 to hiring instructors and navigators; space  
14.23 rental; and supportive services to help  
14.24 participants attend classes, including assistance  
14.25 with course fees, child care, transportation,  
14.26 and safe and stable housing. In addition, up to  
14.27 five percent of grant funds may be used for  
14.28 Bridges to Healthcare's administrative costs.  
14.29 This is a onetime appropriation.
- 14.30 (p) \$400,000 each year is from the workforce  
14.31 development fund for performance grants  
14.32 under Minnesota Statutes, section 116J.8747,  
14.33 to Avivo to provide low-income individuals  
14.34 with career education and job skills training  
14.35 that is fully integrated with chemical and

- 15.1 mental health services. This is a onetime  
15.2 appropriation.
- 15.3 (q) \$1,000,000 each year is for competitive  
15.4 grants to organizations providing services to  
15.5 relieve economic disparities in the Southeast  
15.6 Asian community through workforce  
15.7 recruitment, development, job creation,  
15.8 assistance of smaller organizations to increase  
15.9 capacity, and outreach. Of this amount, up to  
15.10 \$20,000 is for administration and monitoring  
15.11 of the program.
- 15.12 (r) \$300,000 each year is from the workforce  
15.13 development fund for a grant to the Hmong  
15.14 American Partnership, in collaboration with  
15.15 community partners, for services targeting  
15.16 Minnesota communities with the highest  
15.17 concentrations of Southeast Asian joblessness,  
15.18 based on the most recent census tract data, to  
15.19 provide employment readiness training,  
15.20 credentialed training placement, job placement  
15.21 and retention services, supportive services for  
15.22 hard-to-employ individuals, and a general  
15.23 education development fast track and adult  
15.24 diploma program. This is a onetime  
15.25 appropriation.
- 15.26 (s) \$1,000,000 each year is for a competitive  
15.27 grant program to provide grants to  
15.28 organizations that provide support services for  
15.29 individuals, such as job training, employment  
15.30 preparation, internships, job assistance to  
15.31 parents, financial literacy, academic and  
15.32 behavioral interventions for low-performing  
15.33 students, and youth intervention. Grants made  
15.34 under this section must focus on low-income  
15.35 communities, young adults from families with

- 16.1 a history of intergenerational poverty, and  
16.2 communities of color. Of this amount, up to  
16.3 \$20,000 is for administration and monitoring  
16.4 of the program.
- 16.5 (t) \$500,000 each year is from the workforce  
16.6 development fund for a grant to Ujamaa Place  
16.7 for job training, employment preparation,  
16.8 internships, education, training in vocational  
16.9 trades, housing, and organizational capacity  
16.10 building. This is a onetime appropriation.
- 16.11 (u) \$750,000 each year is from the general  
16.12 fund and \$3,348,000 each year is from the  
16.13 workforce development fund for the  
16.14 youth-at-work competitive grant program  
16.15 under Minnesota Statutes, section 116L.562.
- 16.16 Of this amount, up to \$82,000 is for  
16.17 administration and monitoring of the youth  
16.18 workforce development competitive grant  
16.19 program. All grant awards shall be for two  
16.20 consecutive years. Grants shall be awarded in  
16.21 the first year.
- 16.22 (v) \$1,000,000 each year is from the  
16.23 workforce development fund for the  
16.24 youthbuild program under Minnesota Statutes,  
16.25 sections 116L.361 to 116L.366.
- 16.26 (w) \$4,050,000 each year is from the  
16.27 workforce development fund for the  
16.28 Minnesota youth program under Minnesota  
16.29 Statutes, sections 116L.56 and 116L.561.
- 16.30 (x) \$250,000 each year is from the workforce  
16.31 development fund for a grant to Big Brothers  
16.32 Big Sisters of the Greater Twin Cities for  
16.33 workforce readiness, employment exploration,  
16.34 and skills development for youth ages 12 to



- 17.1 21. The grant must serve youth in the Big  
17.2 Brothers Big Sisters chapters in the Twin  
17.3 Cities, central Minnesota, and southern  
17.4 Minnesota. This is a onetime appropriation.
- 17.5 (y) \$1,000,000 the first year is from the  
17.6 workforce development fund for performance  
17.7 grants under Minnesota Statutes, section  
17.8 116J.8747, to Goodwill Easter Seals  
17.9 Minnesota and its partners. The grant shall be  
17.10 used to continue the FATHER Project in  
17.11 Rochester, Park Rapids, St. Cloud, St. Paul,  
17.12 Minneapolis, and the surrounding areas to  
17.13 assist fathers in overcoming barriers that  
17.14 prevent fathers from supporting their children  
17.15 economically and emotionally.
- 17.16 (z) \$300,000 each year is from the workforce  
17.17 development fund for performance grants  
17.18 under Minnesota Statutes, section 116J.8747,  
17.19 to the International Institute of Minnesota for  
17.20 workforce training for new Americans in  
17.21 industries in need for a trained workforce. This  
17.22 is a onetime appropriation.
- 17.23 (aa) \$250,000 in the first year is from the  
17.24 workforce development fund for a grant to the  
17.25 ProStart and Hospitality Tourism Management  
17.26 Program for a well-established, proven, and  
17.27 successful education program that helps young  
17.28 people advance careers in the hospitality  
17.29 industry and addresses critical long-term  
17.30 workforce shortages in that industry.
- 17.31 (bb) \$750,000 each year is from the workforce  
17.32 development fund for a grant to the Minnesota  
17.33 Alliance of Boys and Girls Clubs to administer  
17.34 a statewide project of youth job skills and  
17.35 career development. This project, which may

18.1 have career guidance components including  
 18.2 health and life skills, must be designed to  
 18.3 encourage, train, and assist youth in early  
 18.4 access to education and job seeking skills,  
 18.5 work-based learning experience including  
 18.6 career pathways in STEM learning, career  
 18.7 exploration and matching, and first job  
 18.8 placement through local community  
 18.9 partnerships and on-site job opportunities. This  
 18.10 grant requires a 25 percent match from  
 18.11 nonstate resources. This is a onetime  
 18.12 appropriation.

18.13 **Subd. 4. General Support Services** 4,226,000 4,226,000

18.14 Appropriations by Fund

18.15 General Fund 4,171,000 4,171,000

18.16 Workforce

18.17 Development 55,000 55,000

18.18 (a) \$250,000 each year is for the publication,  
 18.19 dissemination, and use of labor market  
 18.20 information under Minnesota Statutes, section  
 18.21 116J.401.

18.22 (b) \$1,269,000 each year is for transfer to the  
 18.23 Minnesota Housing Finance Agency for  
 18.24 operating the Olmstead Compliance Office.

18.25 **Subd. 5. Minnesota Trade Office** 2,292,000 2,292,000

18.26 (a) \$300,000 each year is for the STEP grants  
 18.27 in Minnesota Statutes, section 116J.979.

18.28 (b) \$180,000 each year is for the Invest  
 18.29 Minnesota marketing initiative in Minnesota  
 18.30 Statutes, section 116J.9781.

18.31 (c) \$270,000 each year is for the Minnesota  
 18.32 Trade Offices under Minnesota Statutes,  
 18.33 section 116J.978.

19.1 (d) \$50,000 each year is for the Trade Policy  
 19.2 Advisory Council under Minnesota Statutes,  
 19.3 section 116J.9661.

19.4 **Subd. 6. Vocational Rehabilitation** 36,691,000 36,691,000

19.5 Appropriations by Fund

19.6 General 28,861,000 28,861,000

19.7 Workforce

19.8 Development 7,830,000 7,830,000

19.9 (a) \$14,300,000 each year is for the state's  
 19.10 vocational rehabilitation program under  
 19.11 Minnesota Statutes, chapter 268A.

19.12 (b) \$8,995,000 each year from the general fund  
 19.13 and \$6,830,000 each year from the workforce  
 19.14 development fund are for extended  
 19.15 employment services for persons with severe  
 19.16 disabilities under Minnesota Statutes, section  
 19.17 268A.15. Of the amounts appropriated from  
 19.18 the general fund, \$2,000,000 each year is for  
 19.19 rate increases to providers of extended  
 19.20 employment services for persons with severe  
 19.21 disabilities under Minnesota Statutes, section  
 19.22 268A.15.

19.23 (c) \$2,555,000 each year is for grants to  
 19.24 programs that provide employment support  
 19.25 services to persons with mental illness under  
 19.26 Minnesota Statutes, sections 268A.13 and  
 19.27 268A.14.

19.28 (d) \$3,011,000 each year is from the general  
 19.29 fund for grants to centers for independent  
 19.30 living under Minnesota Statutes, section  
 19.31 268A.11.

19.32 (e) \$1,000,000 each year is from the workforce  
 19.33 development fund for grants under Minnesota  
 19.34 Statutes, section 268A.16, for employment

20.1 services for persons, including transition-age  
 20.2 youth, who are deaf, deafblind, or  
 20.3 hard-of-hearing. If the amount in the first year  
 20.4 is insufficient, the amount in the second year  
 20.5 is available in the first year.

20.6 **Subd. 7. Services for the Blind** 6,425,000 6,425,000

20.7 Of this amount, \$500,000 each year is for  
 20.8 senior citizens who are becoming blind. At  
 20.9 least one-half of the funds for this purpose  
 20.10 must be used to provide training services for  
 20.11 seniors who are becoming blind. Training  
 20.12 services must provide independent living skills  
 20.13 to seniors who are becoming blind to allow  
 20.14 them to continue to live independently in their  
 20.15 homes.

20.16 **Sec. 3. DEPARTMENT OF LABOR AND**  
 20.17 **INDUSTRY**

20.18 **Subdivision 1. Total Appropriation** **\$ 29,337,000 \$ 29,237,000**

20.19 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
20.20		
20.21 <u>General</u>	<u>4,344,000</u>	<u>4,244,000</u>
20.22 <u>Workers'</u>		
20.23 <u>Compensation</u>	<u>22,009,000</u>	<u>22,009,000</u>
20.24 <u>Workforce</u>		
20.25 <u>Development</u>	<u>2,984,000</u>	<u>2,984,000</u>

20.26 The amounts that may be spent for each  
 20.27 purpose are specified in the following  
 20.28 subdivisions.

20.29 **Subd. 2. General Support** 8,260,000 8,260,000

20.30 Appropriations by Fund

20.31 <u>General</u>	<u>900,000</u>	<u>900,000</u>
20.32 <u>Workers'</u>		
20.33 <u>Compensation</u>	<u>5,960,000</u>	<u>5,960,000</u>
20.34 <u>Workforce</u>		
20.35 <u>Development Fund</u>	<u>1,400,000</u>	<u>1,400,000</u>

21.1 (a) \$900,000 each year is from the general  
 21.2 fund for system upgrades. This is a onetime  
 21.3 appropriation. This appropriation includes  
 21.4 funds for information technology project  
 21.5 services and support subject to Minnesota  
 21.6 Statutes, section 16E.0466. Any ongoing  
 21.7 information technology costs must be  
 21.8 incorporated into the service level agreement  
 21.9 and must be paid to the Office of MN.IT  
 21.10 Services by the commissioner of labor and  
 21.11 industry under the rates and mechanism  
 21.12 specified in that agreement.

21.13 (b) \$1,100,000 each year is from the  
 21.14 workforce development fund for the youth  
 21.15 skills training grants under Minnesota Statutes,  
 21.16 section 175.46. Of this amount, \$100,000 each  
 21.17 year is for administration of the program.

21.18 (c) \$300,000 each year is from the workforce  
 21.19 development fund for the PIPELINE program.

21.20	<b><u>Subd. 3. Labor Standards and Apprenticeship</u></b>	<u>5,028,000</u>	<u>4,928,000</u>
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21.21	<u>Appropriations by Fund</u>		
21.22	<u>General</u>	<u>3,344,000</u>	<u>3,344,000</u>
21.23	<u>Workforce</u>		
21.24	<u>Development</u>	<u>1,584,000</u>	<u>1,584,000</u>

21.25 (a) \$2,046,000 each year is for wage theft  
 21.26 prevention.

21.27 (b) \$151,000 each year is from the workforce  
 21.28 development fund for prevailing wage  
 21.29 enforcement.

21.30 (c) \$1,133,000 each year is from the workforce  
 21.31 development fund for the apprenticeship  
 21.32 program under Minnesota Statutes, chapter  
 21.33 178.

- 22.1 (d) \$100,000 each year is from the workforce  
22.2 development fund for labor education and  
22.3 advancement program grants under Minnesota  
22.4 Statutes, section 178.11, to expand and  
22.5 promote registered apprenticeship training for  
22.6 minorities and women.
- 22.7 (e) \$200,000 each year is from the workforce  
22.8 development fund for grants to the  
22.9 Construction Careers Foundation for the  
22.10 Helmets to Hard Hats Minnesota initiative.  
22.11 Grant funds must be used to recruit, retain,  
22.12 assist, and support National Guard, reserve,  
22.13 and active duty military members' and  
22.14 veterans' participation into apprenticeship  
22.15 programs registered with the Department of  
22.16 Labor and Industry and connect them with  
22.17 career training and employment in the building  
22.18 and construction industry. The recruitment,  
22.19 selection, employment, and training must be  
22.20 without discrimination due to race, color,  
22.21 creed, religion, national origin, sex, sexual  
22.22 orientation, marital status, physical or mental  
22.23 disability, receipt of public assistance, or age.  
22.24 This is a onetime appropriation.
- 22.25 (f)(1) \$100,000 in the first year is for a grant  
22.26 to Independent School District No. 294,  
22.27 Houston, for the Minnesota Virtual Academy's  
22.28 career pathway program with Operating  
22.29 Engineers Local 49. The program may include  
22.30 up to five semesters of courses, and must lead  
22.31 to eligibility into the Operating Engineers  
22.32 Local 49 apprenticeship program. The grant  
22.33 may be used to encourage and support student  
22.34 participation in the career pathway program  
22.35 through additional academic, counseling, and

23.1 other support services provided by the  
 23.2 student's enrolling school district to provide  
 23.3 these services. This appropriation is available  
 23.4 until June 30, 2023; and

23.5 (2) by January 15, 2024, Independent School  
 23.6 District No. 294, Houston, must submit a  
 23.7 written report to the chairs and ranking  
 23.8 minority members of the house of  
 23.9 representatives and senate committees of the  
 23.10 legislature having jurisdiction over education  
 23.11 and workforce development describing  
 23.12 students' experiences with the program. The  
 23.13 report must document the program's spending,  
 23.14 list the number of students participating in the  
 23.15 program and entering the apprenticeship  
 23.16 program, and make recommendations for  
 23.17 improving support of career pathway programs  
 23.18 statewide.

23.19 **Subd. 4. Workers' Compensation** 11,882,000 11,882,000

23.20 This appropriation is from the workers'  
 23.21 compensation fund.

23.22 **Subd. 5. Workplace Safety** 4,167,000 4,167,000

23.23 This appropriation is from the workers'  
 23.24 compensation fund.

23.25 **Sec. 4. WORKERS' COMPENSATION COURT**  
 23.26 **OF APPEALS** \$ 2,283,000 \$ 2,283,000

23.27 This appropriation is from the workers'  
 23.28 compensation fund.

23.29 **Sec. 5. BUREAU OF MEDIATION SERVICES** \$ 2,165,000 \$ 2,165,000

23.30 \$68,000 each year is for grants to area labor  
 23.31 management committees. Grants may be  
 23.32 awarded for a 12-month period beginning July  
 23.33 1 each year. Any unencumbered balance

24.1 remaining at the end of the first year does not  
24.2 cancel but is available for the second year.

24.3 **Sec. 6. DEPARTMENT OF REVENUE.**

24.4 \$20,550,000 is appropriated in fiscal year 2021 from the general fund to the commissioner  
24.5 of revenue for business relief payments to businesses that were otherwise eligible for the  
24.6 payments under Laws 2020, Seventh Special Session chapter 2, article 1, section 1, but for  
24.7 an error in the North American Industry Classification System (NAICS) code on record for  
24.8 the business with either the Department of Revenue or the Department of Employment and  
24.9 Economic Development at the time the relief program was enacted. Upon confirmation that  
24.10 the corrected NAICS code is on record for a business and is one of the NAICS codes listed  
24.11 in Laws 2020, Seventh Special Session chapter 2, article 1, section 1, subdivision 2, paragraph  
24.12 (b), clause (3), the commissioner of revenue shall issue a relief payment to the business in  
24.13 an amount calculated as specified under Laws 2020, Seventh Special Session chapter 2,  
24.14 article 1, section 1, subdivision 3. This appropriation is available until June 30, 2023.

24.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

24.16 **Sec. 7. CANCELLATION; BUSINESS RELIEF PAYMENTS.**

24.17 \$20,650,000 of the appropriation in Laws 2020, Seventh Special Session chapter 2,  
24.18 article 1, section 1, subdivision 7, is canceled.

24.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

24.20 **Sec. 8. CANCELLATIONS; FISCAL YEAR 2021.**

24.21 (a) \$1,022,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First  
24.22 Special Session chapter 7, article 1, section 2, subdivision 4, is canceled.

24.23 (b) \$203,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First  
24.24 Special Session chapter 7, article 1, section 3, subdivision 2, is canceled.

24.25 (c) \$102,000 of the fiscal year 2021 general fund appropriation under Laws 2019, First  
24.26 Special Session chapter 7, article 1, section 5, is canceled.

24.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.



## ARTICLE 2

## LABOR AND INDUSTRY

25.1  
25.2  
25.3 Section 1. Minnesota Statutes 2020, section 13.7905, is amended by adding a subdivision  
25.4 to read:

25.5 Subd. 8. **Data on individuals who are minors.** Disclosure of data on minors is governed  
25.6 by section 181A.112.

25.7 Sec. 2. Minnesota Statutes 2020, section 178.012, subdivision 1, is amended to read:

25.8 Subdivision 1. **Apprenticeship rules.** Federal regulations governing apprenticeship in  
25.9 effect on ~~July 1, 2013~~ January 18, 2017, as provided by Code of Federal Regulations, title  
25.10 29, ~~part~~ parts 29, sections 29.1 to 29.6 and 29.11, and 30 are the apprenticeship rules in this  
25.11 state, subject to amendment by this chapter or by rule under section 178.041.

25.12 Sec. 3. Minnesota Statutes 2020, section 181.032, is amended to read:

25.13 **181.032 REQUIRED STATEMENT OF EARNINGS BY EMPLOYER; NOTICE**  
25.14 **TO EMPLOYEE.**

25.15 (a) At the end of each pay period, the employer shall provide each employee an earnings  
25.16 statement, either in writing or by electronic means, covering that pay period. An employer  
25.17 who chooses to provide an earnings statement by electronic means must provide employee  
25.18 access to an employer-owned computer during an employee's regular working hours to  
25.19 review and print earnings statements.

25.20 (b) The earnings statement may be in any form determined by the employer but must  
25.21 include:

25.22 (1) the name of the employee;

25.23 (2) the rate or rates of pay and basis thereof, including whether the employee is paid by  
25.24 hour, shift, day, week, salary, piece, commission, or other method;

25.25 (3) allowances, if any, claimed pursuant to permitted meals and lodging;

25.26 (4) the total number of hours worked by the employee unless exempt from chapter 177;

25.27 (5) the total amount of gross pay earned by the employee during that period;

25.28 (6) a list of deductions made from the employee's pay;

25.29 (7) the net amount of pay after all deductions are made;

25.30 (8) the date on which the pay period ends;

26.1 (9) the legal name of the employer and the operating name of the employer if different  
26.2 from the legal name;

26.3 (10) the physical address of the employer's main office or principal place of business,  
26.4 and a mailing address if different; and

26.5 (11) the telephone number of the employer.

26.6 (c) An employer must provide earnings statements to an employee in writing, rather  
26.7 than by electronic means, if the employer has received at least 24 hours notice from an  
26.8 employee that the employee would like to receive earnings statements in written form. Once  
26.9 an employer has received notice from an employee that the employee would like to receive  
26.10 earnings statements in written form, the employer must comply with that request on an  
26.11 ongoing basis.

26.12 (d) ~~At the start of employment~~ On or before the date an employer provides an employee  
26.13 with the employee's first earnings statement, an employer shall provide each employee a  
26.14 ~~written~~ notice, either in writing or by electronic means, containing the following information:

26.15 (1) the rate or rates of pay and basis thereof, including whether the employee is paid by  
26.16 the hour, shift, day, week, salary, piece, commission, or other method, and the specific  
26.17 application of any additional rates, as well as any pay schedule or range of pay for an  
26.18 employee who is reasonably expected to move between job duties, classifications, and pay  
26.19 or benefit structures in their day-to-day duties;

26.20 (2) allowances, if any, claimed pursuant to permitted meals and lodging;

26.21 (3) paid vacation, sick time, or other paid time-off accruals and terms of use;

26.22 (4) the employee's employment status and whether the employee is exempt from minimum  
26.23 wage, overtime, and other provisions of chapter 177, and on what basis;

26.24 (5) a list of deductions that may be made from the employee's pay;

26.25 (6) the number of days in the pay period, the regularly scheduled pay day, and the pay  
26.26 day on which the employee will receive the first payment of wages earned;

26.27 (7) the legal name of the employer and the operating name of the employer if different  
26.28 from the legal name;

26.29 (8) the physical address of the employer's main office or principal place of business, and  
26.30 a mailing address if different; ~~and~~

26.31 (9) the telephone number of the employer; and

27.1 (10) a checkbox to indicate whether a hiring employer is a staffing agency and space  
27.2 for a staffing agency to indicate the initial entity for which the employee will perform work.

27.3 (e) The employer must keep a copy of the notice under paragraph (d) signed by each  
27.4 employee acknowledging receipt of the notice. An employee's signature on the notice  
27.5 constitutes acknowledgment of receipt of the notice and does not create a contract. For the  
27.6 purposes of this paragraph, "signed" means a written signature or an electronic signature  
27.7 as defined in section 325L.02. The notice must be provided to each employee in English.  
27.8 The English version of the notice must include text provided by the commissioner that  
27.9 informs employees that they may request, by indicating on the form, the notice be provided  
27.10 in a particular language. If requested, the employer shall provide the notice in the language  
27.11 requested by the employee. The commissioner shall make available to employers the text  
27.12 to be included in the English version of the notice required by this section and assist  
27.13 employers with translation of the notice in the languages requested by their employees.

27.14 (f) The notice requirement under paragraph (d) is satisfied for an employee if the  
27.15 employee has received all of the information required in paragraph (d) specific to the  
27.16 employee through a collective bargaining agreement, employee handbook, offer letter, or  
27.17 a combination of those documents. In such an instance, the employer must retain a record  
27.18 or listing of the referenced documents that satisfied the notice requirement in paragraph (d).

27.19 (g) An employer must provide the employee any ~~written~~ changes to the information  
27.20 contained in the notice under paragraph (d) ~~prior to the,~~ either in writing or by electronic  
27.21 means, by the date of the employee's next earnings statement following the date the changes  
27.22 take effect. The notice of changes to information under this paragraph does not require a  
27.23 signature by the employee acknowledging receipt. The requirements of this paragraph are  
27.24 satisfied if the changes to information are contained on the employee's next earnings  
27.25 statement.

27.26 (h) Notice is not required under paragraph (g) to an employee for discretionary pay. For  
27.27 the purposes of this section, "discretionary pay" means compensation paid by the employer  
27.28 for which the amount and timing are not disclosed in advance by the employer and are at  
27.29 the employer's sole discretion.

27.30 (i) Notice is not required under paragraph (g) to an employee employed by a staffing  
27.31 agency upon subsequent job placements following the initial placement by the staffing  
27.32 agency.

27.33 (j) The commissioner shall issue a written warning to an employer upon the first finding  
27.34 of a violation or violations of the notice requirements found in paragraphs (d) to (g). For

28.1 purposes of this paragraph, discovery by the commissioner of more than one violation of  
28.2 the notice requirements under paragraphs (d) to (g) at the same employer during the same  
28.3 investigation shall be considered a single violation.

28.4 Sec. 4. Minnesota Statutes 2020, section 181.101, is amended to read:

28.5 **181.101 WAGES; HOW OFTEN PAID.**

28.6 (a) Except as provided in paragraph (b), every employer must pay all wages, including  
28.7 salary, earnings, and gratuities earned by an employee at least once every 31 days and all  
28.8 commissions earned by an employee at least once every three months, on a regular payday  
28.9 designated in advance by the employer regardless of whether the employee requests payment  
28.10 at longer intervals. Unless paid earlier, the wages earned during the first half of the first  
28.11 31-day pay period become due on the first regular payday following the first day of work.  
28.12 If wages or commissions earned are not paid, the commissioner of labor and industry or the  
28.13 commissioner's representative may serve a demand for payment on behalf of an employee.  
28.14 In addition to other remedies under section 177.27, if payment of wages is not made within  
28.15 ten days of service of the demand, the commissioner may charge and collect the wages  
28.16 earned at the employee's rate or rates of pay or at the rate or rates required by law, including  
28.17 any applicable statute, regulation, rule, ordinance, government resolution or policy, contract,  
28.18 or other legal authority, whichever rate of pay is greater, and a penalty in the amount of the  
28.19 employee's average daily earnings at the same rate or rates, not exceeding 15 days in all,  
28.20 for each day beyond the ten-day limit following the demand. If payment of commissions is  
28.21 not made within ten days of service of the demand, the commissioner may charge and collect  
28.22 the commissions earned and a penalty equal to 1/15 of the commissions earned but unpaid,  
28.23 not exceeding 15 days in all, for each day beyond the ten-day limit. Money collected by the  
28.24 commissioner must be paid to the employee concerned. This section does not prevent an  
28.25 employee from prosecuting a claim for wages. This section does not prevent a school district,  
28.26 other public school entity, or other school, as defined under section 120A.22, from paying  
28.27 any wages earned by its employees during a school year on regular paydays in the manner  
28.28 provided by an applicable contract or collective bargaining agreement, or a personnel policy  
28.29 adopted by the governing board. For purposes of this section, "employee" includes a person  
28.30 who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes  
28.31 of this section, wages are earned on the day an employee works. This section provides a  
28.32 substantive right for employees to the payment of wages, including salary, earnings, and  
28.33 gratuities, as well as commissions, in addition to the right to be paid at certain times.

29.1 (b) An employer of a volunteer firefighter, as defined in section 424A.001, subdivision  
 29.2 10, a member of an organized first responder squad that is formally recognized by a political  
 29.3 subdivision in the state, or a volunteer ambulance driver or attendant must pay all wages  
 29.4 earned by the volunteer firefighter, first responder, or volunteer ambulance driver or attendant  
 29.5 at least once every 31 days, unless the employer and the employee mutually agree upon  
 29.6 payment at longer intervals.

29.7 Sec. 5. Minnesota Statutes 2020, section 181.939, is amended to read:

29.8 **181.939 NURSING MOTHERS, LACTATING EMPLOYEES, AND PREGNANCY**  
 29.9 **ACCOMMODATIONS.**

29.10 Subdivision 1. Nursing mothers. (a) An employer must provide reasonable ~~unpaid~~  
 29.11 ~~break time~~ times each day to an employee who needs to express breast milk for her infant  
 29.12 child during the twelve months following the birth of the child. The break time must, if  
 29.13 possible, run concurrently with any ~~break time~~ times already provided to the employee. An  
 29.14 employer is not required to provide ~~break time~~ times under this section if to do so would  
 29.15 unduly disrupt the operations of the employer. An employer shall not reduce an employee's  
 29.16 compensation for time used for the purpose of expressing milk.

29.17 (b) The employer must make reasonable efforts to provide a room or other location, in  
 29.18 close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from  
 29.19 view and free from intrusion from coworkers and the public and that includes access to an  
 29.20 electrical outlet, where the employee can express ~~her~~ milk in privacy. The employer would  
 29.21 be held harmless if reasonable effort has been made.

29.22 (c) For the purposes of this ~~section~~ subdivision, "employer" means a person or entity  
 29.23 that employs one or more employees and includes the state and its political subdivisions.

29.24 (d) An employer ~~may~~ shall not retaliate against an employee for asserting rights or  
 29.25 remedies under this ~~section~~ subdivision.

29.26 Subd. 2. Pregnancy accommodations. (a) An employer must provide reasonable  
 29.27 accommodations to an employee for health conditions related to pregnancy or childbirth  
 29.28 upon request, with the advice of a licensed health care provider or certified doula, unless  
 29.29 the employer demonstrates that the accommodation would impose an undue hardship on  
 29.30 the operation of the employer's business. A pregnant employee shall not be required to  
 29.31 obtain the advice of a licensed health care provider or certified doula, nor may an employer  
 29.32 claim undue hardship for the following accommodations: (1) more frequent restroom, food,  
 29.33 and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and

30.1 employer shall engage in an interactive process with respect to an employee's request for a  
 30.2 reasonable accommodation. "Reasonable accommodation" may include but is not limited  
 30.3 to temporary transfer to a less strenuous or hazardous position, seating, frequent restroom  
 30.4 breaks, and limits to heavy lifting. Notwithstanding any other provision of this subdivision,  
 30.5 an employer shall not be required to create a new or additional position in order to  
 30.6 accommodate an employee pursuant to this subdivision and shall not be required to discharge  
 30.7 an employee, transfer another employee with greater seniority, or promote an employee.

30.8 (b) Nothing in this subdivision shall be construed to affect any other provision of law  
 30.9 relating to sex discrimination or pregnancy or in any way diminish the coverage of pregnancy,  
 30.10 childbirth, or health conditions related to pregnancy or childbirth under any other provisions  
 30.11 of any other law.

30.12 (c) An employer shall not require an employee to take a leave or accept an  
 30.13 accommodation.

30.14 (d) An employer shall not retaliate against an employee for asserting rights or remedies  
 30.15 under this subdivision.

30.16 (e) For the purposes of this subdivision, "employer" means a person or entity that employs  
 30.17 fifteen or more employees and includes the state and its political subdivisions.

30.18 **EFFECTIVE DATE.** This section is effective one year following enactment of this  
 30.19 section.

30.20 **Sec. 6. [181A.112] DATA ON INDIVIDUALS WHO ARE MINORS.**

30.21 (a) When the commissioner collects, creates, receives, maintains, or disseminates the  
 30.22 following data on individuals who the commissioner knows are minors, the data are  
 30.23 considered private data on individuals, as defined in section 13.02, subdivision 12, except  
 30.24 for data classified as public data according to section 13.43:

30.25 (1) name;

30.26 (2) date of birth;

30.27 (3) Social Security number;

30.28 (4) telephone number;

30.29 (5) e-mail address;

30.30 (6) physical or mailing address;

30.31 (7) location data;

31.1 (8) online account access information; and

31.2 (9) other data that would identify participants who have registered for events, programs,  
31.3 or classes sponsored by the Department of Labor and Industry.

31.4 (b) Data about minors classified under this section maintain their classification as private  
31.5 data on individuals after the individual is no longer a minor.

31.6 Sec. 7. Minnesota Statutes 2020, section 182.666, subdivision 3, is amended to read:

31.7 Subd. 3. **Nonserious violations.** The commissioner shall issue a written warning to an  
31.8 employer upon the first finding of a violation determined not to be of a serious nature.  
31.9 Thereafter, any employer who has received a citation for a violation of its duties under  
31.10 section 182.653, subdivisions 2 to 4, where the violation is specifically determined not to  
31.11 be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a  
31.12 fine of up to \$7,000 for each violation.

31.13 **EFFECTIVE DATE.** The amendments to this section are effective retroactively from  
31.14 August 1, 2020, and expire the day following termination or rescission of any executive  
31.15 order that requires mandatory wearing of face coverings as it relates to the infectious disease  
31.16 known as COVID-19 and businesses closed or limited to ingress, egress, use, and occupancy  
31.17 by members of the public pursuant to executive orders related to the infectious disease  
31.18 known as COVID-19 are allowed to fully operate with no capacity limitations.

31.19 Sec. 8. Minnesota Statutes 2020, section 326B.07, subdivision 1, is amended to read:

31.20 Subdivision 1. **Membership.** (a) The Construction Codes Advisory Council consists of  
31.21 the following members:

31.22 (1) the commissioner or the commissioner's designee representing the department's  
31.23 Construction Codes and Licensing Division;

31.24 (2) the commissioner of public safety or the commissioner of public safety's designee  
31.25 representing the Department of Public Safety's State Fire Marshal Division;

31.26 (3) one member, appointed by the commissioner, with expertise in and engaged in each  
31.27 of the following occupations or industries:

31.28 (i) certified building officials;

31.29 (ii) fire chiefs or fire marshals;

31.30 (iii) licensed architects;

- 32.1 (iv) licensed professional engineers;
- 32.2 (v) commercial building owners and managers;
- 32.3 (vi) the licensed residential building industry;
- 32.4 (vii) the commercial building industry;
- 32.5 (viii) the heating and ventilation industry;
- 32.6 (ix) a member of the Plumbing Board;
- 32.7 (x) a member of the Board of Electricity;
- 32.8 (xi) a member of the Board of High Pressure Piping Systems;
- 32.9 (xii) the boiler industry;
- 32.10 (xiii) the manufactured housing industry;
- 32.11 (xiv) public utility suppliers;
- 32.12 (xv) the Minnesota Building and Construction Trades Council; ~~and~~
- 32.13 (xvi) local units of government;
- 32.14 (xvii) the energy conservation industry; and
- 32.15 (xviii) building accessibility.

32.16 (b) The commissioner or the commissioner's designee representing the department's  
 32.17 Construction Codes and Licensing Division shall serve as chair of the advisory council. For  
 32.18 members who are not state officials or employees, compensation and removal of members  
 32.19 of the advisory council are governed by section 15.059. The terms of the members of the  
 32.20 advisory council shall be four years. The terms of eight of the appointed members shall be  
 32.21 coterminous with the governor and the terms of the remaining nine appointed members  
 32.22 shall end on the first Monday in January one year after the terms of the other appointed  
 32.23 members expire. An appointed member may be reappointed. Each council member shall  
 32.24 appoint an alternate to serve in their absence.

32.25 Sec. 9. Minnesota Statutes 2020, section 326B.106, subdivision 4, is amended to read:

32.26 Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require  
 32.27 that any parking ramp or other parking facility constructed in accordance with the code  
 32.28 include an appropriate number of spaces suitable for the parking of motor vehicles having  
 32.29 a capacity of seven to 16 persons and which are principally used to provide prearranged



33.1 commuter transportation of employees to or from their place of employment or to or from  
33.2 a transit stop authorized by a local transit authority.

33.3 (b) **Smoke detection devices.** The code must require that all dwellings, lodging houses,  
33.4 apartment houses, and hotels as defined in section 299F.362 comply with the provisions of  
33.5 section 299F.362.

33.6 (c) **Doors in nursing homes and hospitals.** The State Building Code may not require  
33.7 that each door entering a sleeping or patient's room from a corridor in a nursing home or  
33.8 hospital with an approved complete standard automatic fire extinguishing system be  
33.9 constructed or maintained as self-closing or automatically closing.

33.10 (d) **Child care facilities in churches; ground level exit.** A licensed day care center  
33.11 serving fewer than 30 preschool age persons and which is located in a belowground space  
33.12 in a church building is exempt from the State Building Code requirement for a ground level  
33.13 exit when the center has more than two stairways to the ground level and its exit.

33.14 (e) **Family and group family day care.** Until the legislature enacts legislation specifying  
33.15 appropriate standards, the definition of dwellings constructed in accordance with the  
33.16 International Residential Code as adopted as part of the State Building Code applies to  
33.17 family and group family day care homes licensed by the Department of Human Services  
33.18 under Minnesota Rules, chapter 9502.

33.19 (f) **Enclosed stairways.** No provision of the code or any appendix chapter of the code  
33.20 may require stairways of existing multiple dwelling buildings of two stories or less to be  
33.21 enclosed.

33.22 (g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter of  
33.23 the code may prohibit double cylinder dead bolt locks in existing single-family homes,  
33.24 townhouses, and first floor duplexes used exclusively as a residential dwelling. Any  
33.25 recommendation or promotion of double cylinder dead bolt locks must include a warning  
33.26 about their potential fire danger and procedures to minimize the danger.

33.27 (h) **Relocated residential buildings.** A residential building relocated within or into a  
33.28 political subdivision of the state need not comply with the State Energy Code or section  
33.29 326B.439 provided that, where available, an energy audit is conducted on the relocated  
33.30 building.

33.31 (i) **Automatic garage door opening systems.** The code must require all residential  
33.32 buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82  
33.33 and 325F.83.

34.1 (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking  
34.2 surface and upper portions of exterior wood decks, patios, and balconies to be constructed  
34.3 of (1) heartwood from species of wood having natural resistance to decay or termites,  
34.4 including redwood and cedars, (2) grades of lumber which contain sapwood from species  
34.5 of wood having natural resistance to decay or termites, including redwood and cedars, or  
34.6 (3) treated wood. The species and grades of wood products used to construct the decking  
34.7 surface and upper portions of exterior decks, patios, and balconies must be made available  
34.8 to the building official on request before final construction approval.

34.9 (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be  
34.10 imposed by municipalities under the State Building Code, except as required under section  
34.11 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92  
34.12 administered by the Department of Labor and Industry. All data regarding the material  
34.13 production processes, including the bioprocess system's structural design and layout, are  
34.14 nonpublic data as provided by section 13.7911.

34.15 (l) **Use of ungraded lumber.** The code must allow the use of ungraded lumber in  
34.16 geographic areas of the state where the code did not generally apply as of April 1, 2008, to  
34.17 the same extent that ungraded lumber could be used in that area before April 1, 2008.

34.18 (m) **Window cleaning safety.** The code must require the installation of dedicated  
34.19 anchorages for the purpose of suspended window cleaning on (1) new buildings four stories  
34.20 or greater; and (2) buildings four stories or greater, only on those areas undergoing  
34.21 reconstruction, alteration, or repair that includes the exposure of primary structural  
34.22 components of the roof.

34.23 The commissioner may waive all or a portion of the requirements of this paragraph  
34.24 related to reconstruction, alteration, or repair, if the installation of dedicated anchorages  
34.25 would not result in significant safety improvements due to limits on the size of the project,  
34.26 or other factors as determined by the commissioner.

34.27 Dedicated anchorages are not required for new buildings that are six stories or less if  
34.28 the roof has a slope steeper than four units vertical by 12 units horizontal.

34.29 Sec. 10. Minnesota Statutes 2020, section 326B.108, subdivision 1, is amended to read:

34.30 Subdivision 1. **Definition.** For purposes of this section, "place of public accommodation"  
34.31 means a publicly or privately owned facility that is designed for occupancy by ~~200~~ 100 or  
34.32 more people and is a sports or entertainment arena, stadium, theater, community or

35.1 convention hall, special event center, indoor amusement facility or water park, or indoor  
35.2 swimming pool.

35.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.4 Sec. 11. Minnesota Statutes 2020, section 326B.108, subdivision 3, is amended to read:

35.5 Subd. 3. **Enforcement.** Effective July 1, 2017, in a municipality that has not adopted  
35.6 the code by ordinance under section 326B.121, subdivision 2, the commissioner shall enforce  
35.7 this section in accordance with section 326B.107, subdivision 1.

35.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.9 Sec. 12. Minnesota Statutes 2020, section 326B.108, is amended by adding a subdivision  
35.10 to read:

35.11 Subd. 5. **Fire sprinklers required.** Automatic sprinkler systems for fire protection  
35.12 purposes are required in a place of public accommodation if, on or after August 1, 2008:

35.13 (1) the facility was constructed, added to, or altered; and

35.14 (2) the facility has an occupant load of 300 or more.

35.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.16 Sec. 13. Minnesota Statutes 2020, section 326B.121, subdivision 2, is amended to read:

35.17 Subd. 2. **Municipal enforcement.** (a) If, as of January 1, 2008, a municipality has in  
35.18 effect an ordinance adopting the State Building Code, that municipality must continue to  
35.19 administer and enforce the State Building Code within its jurisdiction. The municipality is  
35.20 prohibited from repealing its ordinance adopting the State Building Code. This paragraph  
35.21 does not apply to municipalities with a population of less than 2,500 according to the last  
35.22 federal census that are located outside of a metropolitan county, as defined in section 473.121,  
35.23 subdivision 4.

35.24 (b) If a municipality is not required by paragraph (a) to administer and enforce the State  
35.25 Building Code, the municipality may choose to administer and enforce the State Building  
35.26 Code within its jurisdiction by adopting the code by ordinance.

35.27 (c) A municipality must not by ordinance, or through development agreement, require  
35.28 building code provisions regulating components or systems of any structure that are different  
35.29 from any provision of the State Building Code. This subdivision does not prohibit a  
35.30 municipality from enacting or enforcing an ordinance requiring existing components or

36.1 systems of any structure to be maintained in a safe and sanitary condition or in good repair,  
36.2 but not exceeding the standards under which the structure was built, reconstructed, or altered,  
36.3 or the component or system was installed, unless specific retroactive provisions for existing  
36.4 buildings have been adopted as part of the State Building Code. A municipality may, with  
36.5 the approval of the state building official, adopt an ordinance that is more restrictive than  
36.6 the State Building Code where geological conditions warrant a more restrictive ordinance.  
36.7 A municipality may appeal the disapproval of a more restrictive ordinance to the  
36.8 commissioner. An appeal under this subdivision is subject to the schedule, fee, procedures,  
36.9 cost provisions, and appeal rights set out in section 326B.139.

36.10 (d) A city may by ordinance and with permission of the township board extend the  
36.11 administration and enforcement of the code to contiguous unincorporated territory not more  
36.12 than two miles distant from its corporate limits in any direction if the code is not already  
36.13 administered and enforced in the territory. Where two or more noncontiguous cities, which  
36.14 have elected to administer and enforce the code, have boundaries less than four miles apart,  
36.15 each is authorized to enforce the code on its side of a line equidistant between them. Once  
36.16 enforcement authority is extended extraterritorially by ordinance, the authority may continue  
36.17 to be exercised in the designated territory even though another city less than four miles  
36.18 distant later elects to enforce the code. After the extension, the city may enforce the code  
36.19 in the designated area to the same extent as if the property were situated within its corporate  
36.20 limits. Enforcement of the code in an extended area outside a city's corporate limits includes  
36.21 all rules, laws, and ordinances associated with administration of the code.

36.22 (e) A city cannot commence administration and enforcement of the code outside of its  
36.23 jurisdiction until it has provided written notice to the commissioner, the county auditor, and  
36.24 the town clerk of each town in which it intends to administer and enforce the code. A public  
36.25 hearing on the proposed administration and enforcement must be held not less than 30 days  
36.26 after the notice has been provided. Administration and enforcement of the code by the city  
36.27 outside of its jurisdiction commences on a date determined by the city that is no less than  
36.28 90 days nor more than one year after the public hearing.

36.29 (f) A municipality may enforce the State Building Code by any means that are convenient  
36.30 and lawful, including entering into contracts with other municipalities under section 471.59  
36.31 and with qualified individuals. The other municipalities or qualified individuals may be  
36.32 reimbursed by retention or remission of some or all of the building permit fee collected or  
36.33 by other means. If a municipality has no qualified employees of the municipality or other  
36.34 municipalities or qualified individuals available to carry out inspection and enforcement,  
36.35 the commissioner shall train and designate individuals available to carry out inspection and

37.1 enforcement. The commissioner may be reimbursed for the inspection by retention or  
37.2 remission of some or all of the building permit fee collected or by other means.

37.3 (g) Nothing in this subdivision prohibits a municipality from adopting ordinances relating  
37.4 to zoning, subdivision, or planning unless the ordinance conflicts with a provision of the  
37.5 State Building Code that regulates components or systems of any structure.

37.6 (h) A municipality authorized to establish a border city enterprise zone as defined in  
37.7 section 469.166 may by ordinance adopt building code provisions that are different from  
37.8 provisions of the State Building Code for the purpose of reducing the required frost footing  
37.9 depth for one- and two-family dwellings to match the requirements of an adjacent  
37.10 municipality in a bordering state. Any reduction in required frost footing depth adopted by  
37.11 a municipality under this paragraph shall be no lower than the minimum depth allowed in  
37.12 Zone II under Minnesota Rules, part 1303.1600, subpart 1.

37.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

37.14 Sec. 14. Minnesota Statutes 2020, section 326B.133, subdivision 8, is amended to read:

37.15 Subd. 8. **Continuing education requirements; extension of time.** (a) This subdivision  
37.16 establishes the number of continuing education hours required within each two-year  
37.17 certification period.

37.18 A certified building official shall accumulate ~~38~~ 35 hours of continuing education in  
37.19 any education program that is approved under Minnesota Rules, part 1301.1000.

37.20 A certified building official-limited shall accumulate ~~38~~ 35 hours of continuing education  
37.21 in any education program that is approved under Minnesota Rules, part 1301.1000.

37.22 An accessibility specialist must accumulate nine hours of approved continuing education  
37.23 hours in any of the education programs that are provided under Minnesota Rules, part  
37.24 1301.1000, subpart 1 or 2. The nine hours must be in courses relating to building accessibility,  
37.25 plan review, field inspection, or building code administration.

37.26 Continuing education programs may be approved as established in rule.

37.27 (b) Subject to sections 326B.101 to 326B.194, the commissioner may by rule establish  
37.28 or approve continuing education programs for certified building officials dealing with  
37.29 matters of building code administration, inspection, and enforcement.

37.30 Each person certified as a building official for the state must satisfactorily complete  
37.31 applicable educational programs established or approved by the commissioner to renew  
37.32 certification.

38.1 (c) The state building official may grant an extension of time to comply with continuing  
 38.2 education requirements if the certificate holder requesting the extension of time shows cause  
 38.3 for the extension. The request for the extension must be in writing. For purposes of this  
 38.4 section, the certificate holder's current certification effective dates shall remain the same.  
 38.5 The extension does not relieve the certificate holder from complying with the continuing  
 38.6 education requirements for the next two-year period.

38.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

38.8 Sec. 15. Minnesota Statutes 2020, section 326B.89, subdivision 4, is amended to read:

38.9 Subd. 4. **Purpose of fund.** (a) The purpose of this fund is to:

38.10 (1) compensate owners or lessees of residential real estate who meet the requirements  
 38.11 of this section;

38.12 (2) reimburse the department for all legal and administrative expenses, disbursements,  
 38.13 and costs, including staffing costs, incurred in administering and defending the fund;

38.14 (3) pay for educational or research projects in the field of residential contracting to  
 38.15 further the purposes of sections 326B.801 to 326B.825; and

38.16 (4) provide information to the public on residential contracting issues.

38.17 **(b) No money from this fund may be transferred or spent unless the commissioner**  
 38.18 **determines that the money is being transferred or spent for one of the purposes in paragraph**  
 38.19 **(a).**

38.20 Sec. 16. Laws 2014, chapter 211, section 13, as amended by Laws 2015, First Special  
 38.21 Session chapter 1, article 7, section 1, Laws 2016, chapter 189, article 7, section 42, and  
 38.22 Laws 2017, chapter 94, article 12, section 1, is amended to read:

38.23 Sec. 13. **EFFECTIVE DATE.**

38.24 Sections 1 to 3 and 6 to 11 are effective July 1, 2020, to June 1, 2021, and after July 1,  
 38.25 2023. Sections 4, 5, and 12 are effective July 1, 2014.

38.26 **EFFECTIVE DATE.** The amendments to this section are effective retroactively from  
 38.27 June 30, 2020, except that any investigation and proceedings related to an unfair labor  
 38.28 practice charge currently pending before the Public Employee Relations Board as of the  
 38.29 date of enactment of this section shall be conducted according to the process in place under  
 38.30 Minnesota Statutes, section 179A.13, as of July 1, 2020. Following enactment of this section  
 38.31 and until July 1, 2023, any employee, employer, employee or employer organization,

39.1 exclusive representative, or any other person or organization aggrieved by an unfair labor  
 39.2 practice as defined in Minnesota Statutes, section 179A.13, shall bring an action for injunctive  
 39.3 relief and for damages caused by the unfair labor practice in the district court of the county  
 39.4 in which the practice is alleged to have occurred.

39.5 Sec. 17. **REPEALER.**

39.6 Minnesota Statutes 2020, section 181.9414, is repealed.

39.7 **EFFECTIVE DATE.** This section is effective one year following enactment of this  
 39.8 section.

### 39.9 ARTICLE 3

### 39.10 ECONOMIC DEVELOPMENT

39.11 Section 1. Minnesota Statutes 2020, section 12.32, is amended to read:

39.12 **12.32 GOVERNOR'S ORDERS AND RULES, EFFECT.**

39.13 Except as provided in section 12.321, orders and rules promulgated by the governor  
 39.14 under authority of section 12.21, subdivision 3, clause (1), when approved by the Executive  
 39.15 Council and filed in the Office of the Secretary of State, have, during a national security  
 39.16 emergency, peacetime emergency, or energy supply emergency, the full force and effect of  
 39.17 law. Rules and ordinances of any agency or political subdivision of the state inconsistent  
 39.18 with the provisions of this chapter or with any order or rule having the force and effect of  
 39.19 law issued under the authority of this chapter, is suspended during the period of time and  
 39.20 to the extent that the emergency exists.

39.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

39.22 Sec. 2. **[12.321] EXECUTIVE ORDERS RELATING TO PUBLIC HEALTH**  
 39.23 **EMERGENCY FOR INFECTIOUS DISEASE; EFFECT.**

39.24 Notwithstanding any law to the contrary, any executive order relating to a public health  
 39.25 emergency for an infectious disease issued pursuant to section 12.21 or 12.31 that closes  
 39.26 or partially closes or proposes to close or partially close a business to ingress, egress, use,  
 39.27 and occupancy by members of the public must:

39.28 (1) be approved by the legislature with a simple majority vote in both the senate and the  
 39.29 house of representatives acting separately prior to implementation of the executive order;  
 39.30 and

40.1 (2) provide businesses subject to the executive order with 14 calendar days advanced  
 40.2 notice of the closure.

40.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

40.4 Sec. 3. Minnesota Statutes 2020, section 116J.431, subdivision 2, is amended to read:

40.5 Subd. 2. **Eligible projects.** (a) An economic development project for which a county or  
 40.6 city may be eligible to receive a grant under this section includes:

40.7 (1) manufacturing;

40.8 (2) technology;

40.9 (3) warehousing and distribution;

40.10 (4) research and development;

40.11 (5) agricultural processing, defined as transforming, packaging, sorting, or grading  
 40.12 livestock or livestock products into goods that are used for intermediate or final consumption,  
 40.13 including goods for nonfood use; or

40.14 (6) industrial park development that would be used by any other business listed in this  
 40.15 subdivision even if no business has committed to locate in the industrial park at the time  
 40.16 the grant application is made.

40.17 (b) Up to 15 percent of the development of a project may be for a purpose that is not  
 40.18 included under this subdivision as an eligible project. A city or county must provide notice  
 40.19 to the commissioner for the commissioner's approval of the proposed project.

40.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 40.21 applies to projects that have been funded previously under Minnesota Statutes, section  
 40.22 116J.431.

40.23 Sec. 4. Minnesota Statutes 2020, section 116J.431, subdivision 3, is amended to read:

40.24 Subd. 3. **Ineligible projects.** ~~The following~~ Projects, including but not limited to the  
 40.25 following types, are not eligible ineligible for a grant under this section:

40.26 (1) retail development; or

40.27 (2) office space development, except as incidental to an eligible purpose.

40.28 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 40.29 applies to projects that have been funded previously under Minnesota Statutes, section  
 40.30 116J.431.



41.1 Sec. 5. Minnesota Statutes 2020, section 116J.431, is amended by adding a subdivision  
41.2 to read:

41.3 Subd. 3a. **Development restrictions expiration.** After ten years from the date of the  
41.4 grant award under this section, if an eligible project for which the public infrastructure was  
41.5 intended has not been developed, any other lawful project may be developed and supported  
41.6 by the public infrastructure. The city or county must notify the commissioner of the project.

41.7 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
41.8 applies to projects that have been funded previously under Minnesota Statutes, section  
41.9 116J.431.

41.10 Sec. 6. Laws 2017, chapter 94, article 1, section 2, subdivision 2, as amended by Laws  
41.11 2017, First Special Session chapter 7, section 2, is amended to read:

41.12 Subd. 2. **Business and Community Development** \$ 46,074,000 \$ 40,935,000

41.13 Appropriations by Fund

41.14 General \$43,363,000 \$38,424,000

41.15 Remediation \$700,000 \$700,000

41.16 Workforce  
41.17 Development \$1,861,000 \$1,811,000

41.18 Special Revenue \$150,000 -0-

41.19 (a) \$4,195,000 each year is for the Minnesota  
41.20 job skills partnership program under  
41.21 Minnesota Statutes, sections 116L.01 to  
41.22 116L.17. If the appropriation for either year  
41.23 is insufficient, the appropriation for the other  
41.24 year is available. This appropriation is  
41.25 available until spent.

41.26 (b) \$750,000 each year is for grants to the  
41.27 Neighborhood Development Center for small  
41.28 business programs:

41.29 (1) training, lending, and business services;

41.30 (2) model outreach and training in greater  
41.31 Minnesota; and

41.32 (3) development of new business incubators.

41.33 This is a onetime appropriation.

- 42.1 (c) \$1,175,000 each year is for a grant to the  
42.2 Metropolitan Economic Development  
42.3 Association (MEDA) for statewide business  
42.4 development and assistance services, including  
42.5 services to entrepreneurs with businesses that  
42.6 have the potential to create job opportunities  
42.7 for unemployed and underemployed people,  
42.8 with an emphasis on minority-owned  
42.9 businesses. This is a onetime appropriation.
- 42.10 (d) \$125,000 each year is for a grant to the  
42.11 White Earth Nation for the White Earth Nation  
42.12 Integrated Business Development System to  
42.13 provide business assistance with workforce  
42.14 development, outreach, technical assistance,  
42.15 infrastructure and operational support,  
42.16 financing, and other business development  
42.17 activities. This is a onetime appropriation.
- 42.18 (e)(1) \$12,500,000 each year is for the  
42.19 Minnesota investment fund under Minnesota  
42.20 Statutes, section 116J.8731. Of this amount,  
42.21 the commissioner of employment and  
42.22 economic development may use up to three  
42.23 percent for administration and monitoring of  
42.24 the program. This appropriation is available  
42.25 until spent.
- 42.26 (2) Of the amount appropriated in fiscal year  
42.27 2018, \$4,000,000 is for a loan to construct and  
42.28 equip a wholesale electronic component  
42.29 distribution center investing a minimum of  
42.30 \$200,000,000 and constructing a facility at  
42.31 least 700,000 square feet in size. Loan funds  
42.32 may be used for purchases of materials,  
42.33 supplies, and equipment for the construction  
42.34 of the facility and are available from July 1,  
42.35 2017, to June 30, 2021. The commissioner of

43.1 employment and economic development shall  
43.2 forgive the loan after verification that the  
43.3 project has satisfied performance goals and  
43.4 contractual obligations as required under  
43.5 Minnesota Statutes, section 116J.8731.

43.6 (3) Of the amount appropriated in fiscal year  
43.7 2018, \$700,000 is for a ~~loan to extend an~~  
43.8 ~~effluent pipe that will deliver reclaimed water~~  
43.9 ~~to an innovative waste-to-biofuel project~~  
43.10 ~~investing a minimum of \$150,000,000 and~~  
43.11 ~~constructing a facility that is designed to~~  
43.12 ~~process approximately 400,000 tons of waste~~  
43.13 ~~annually. Loan grant to the Metropolitan~~  
43.14 Council under Minnesota Statutes, section  
43.15 116.195, for wastewater infrastructure to  
43.16 support industrial users in Rosemount that  
43.17 require significant water use. Grant funds are  
43.18 available until June 30, ~~2024~~ 2025.

43.19 (f) \$8,500,000 each year is for the Minnesota  
43.20 job creation fund under Minnesota Statutes,  
43.21 section 116J.8748. Of this amount, the  
43.22 commissioner of employment and economic  
43.23 development may use up to three percent for  
43.24 administrative expenses. This appropriation  
43.25 is available until expended. In fiscal year 2020  
43.26 and beyond, the base amount is \$8,000,000.

43.27 (g) \$1,647,000 each year is for contaminated  
43.28 site cleanup and development grants under  
43.29 Minnesota Statutes, sections 116J.551 to  
43.30 116J.558. This appropriation is available until  
43.31 spent. In fiscal year 2020 and beyond, the base  
43.32 amount is \$1,772,000.

43.33 (h) \$12,000 each year is for a grant to the  
43.34 Upper Minnesota Film Office.

- 44.1 (i) \$163,000 each year is for the Minnesota  
44.2 Film and TV Board. The appropriation in each  
44.3 year is available only upon receipt by the  
44.4 board of \$1 in matching contributions of  
44.5 money or in-kind contributions from nonstate  
44.6 sources for every \$3 provided by this  
44.7 appropriation, except that each year up to  
44.8 \$50,000 is available on July 1 even if the  
44.9 required matching contribution has not been  
44.10 received by that date.
- 44.11 (j) \$500,000 each year is from the general fund  
44.12 for a grant to the Minnesota Film and TV  
44.13 Board for the film production jobs program  
44.14 under Minnesota Statutes, section 116U.26.  
44.15 This appropriation is available until June 30,  
44.16 2021.
- 44.17 (k) \$139,000 each year is for a grant to the  
44.18 Rural Policy and Development Center under  
44.19 Minnesota Statutes, section 116J.421.
- 44.20 (l)(1) \$1,300,000 each year is for the greater  
44.21 Minnesota business development public  
44.22 infrastructure grant program under Minnesota  
44.23 Statutes, section 116J.431. This appropriation  
44.24 is available until spent. If the appropriation  
44.25 for either year is insufficient, the appropriation  
44.26 for the other year is available. In fiscal year  
44.27 2020 and beyond, the base amount is  
44.28 \$1,787,000. Funds available under this  
44.29 paragraph may be used for site preparation of  
44.30 property owned and to be used by private  
44.31 entities.
- 44.32 (2) Of the amounts appropriated, \$1,600,000  
44.33 in fiscal year 2018 is for a grant to the city of  
44.34 Thief River Falls to support utility extensions,  
44.35 roads, and other public improvements related

45.1 to the construction of a wholesale electronic  
45.2 component distribution center at least 700,000  
45.3 square feet in size and investing a minimum  
45.4 of \$200,000,000. Notwithstanding Minnesota  
45.5 Statutes, section 116J.431, a local match is  
45.6 not required. Grant funds are available from  
45.7 July 1, 2017, to June 30, 2021.

45.8 (m) \$876,000 the first year and \$500,000 the  
45.9 second year are for the Minnesota emerging  
45.10 entrepreneur loan program under Minnesota  
45.11 Statutes, section 116M.18. Funds available  
45.12 under this paragraph are for transfer into the  
45.13 emerging entrepreneur program special  
45.14 revenue fund account created under Minnesota  
45.15 Statutes, chapter 116M, and are available until  
45.16 spent. Of this amount, up to four percent is for  
45.17 administration and monitoring of the program.  
45.18 In fiscal year 2020 and beyond, the base  
45.19 amount is \$1,000,000.

45.20 (n) \$875,000 each year is for a grant to  
45.21 Enterprise Minnesota, Inc. for the small  
45.22 business growth acceleration program under  
45.23 Minnesota Statutes, section 116O.115. This  
45.24 is a onetime appropriation.

45.25 (o) \$250,000 in fiscal year 2018 is for a grant  
45.26 to the Minnesota Design Center at the  
45.27 University of Minnesota for the greater  
45.28 Minnesota community design pilot project.

45.29 (p) \$275,000 in fiscal year 2018 is from the  
45.30 general fund to the commissioner of  
45.31 employment and economic development for  
45.32 a grant to Community and Economic  
45.33 Development Associates (CEDA) for an  
45.34 economic development study and analysis of  
45.35 the effects of current and projected economic

46.1 growth in southeast Minnesota. CEDA shall  
46.2 report on the findings and recommendations  
46.3 of the study to the committees of the house of  
46.4 representatives and senate with jurisdiction  
46.5 over economic development and workforce  
46.6 issues by February 15, 2019. All results and  
46.7 information gathered from the study shall be  
46.8 made available for use by cities in southeast  
46.9 Minnesota by March 15, 2019. This  
46.10 appropriation is available until June 30, 2020.

46.11 (q) \$2,000,000 in fiscal year 2018 is for a  
46.12 grant to Pillsbury United Communities for  
46.13 construction and renovation of a building in  
46.14 north Minneapolis for use as the "North  
46.15 Market" grocery store and wellness center,  
46.16 focused on offering healthy food, increasing  
46.17 health care access, and providing job creation  
46.18 and economic opportunities in one place for  
46.19 children and families living in the area. To the  
46.20 extent possible, Pillsbury United Communities  
46.21 shall employ individuals who reside within a  
46.22 five mile radius of the grocery store and  
46.23 wellness center. This appropriation is not  
46.24 available until at least an equal amount of  
46.25 money is committed from nonstate sources.  
46.26 This appropriation is available until the project  
46.27 is completed or abandoned, subject to  
46.28 Minnesota Statutes, section 16A.642.

46.29 (r) \$1,425,000 each year is for the business  
46.30 development competitive grant program. Of  
46.31 this amount, up to five percent is for  
46.32 administration and monitoring of the business  
46.33 development competitive grant program. All  
46.34 grant awards shall be for two consecutive  
46.35 years. Grants shall be awarded in the first year.

- 47.1 (s) \$875,000 each year is for the host  
47.2 community economic development grant  
47.3 program established in Minnesota Statutes,  
47.4 section 116J.548.
- 47.5 (t) \$700,000 each year is from the remediation  
47.6 fund for contaminated site cleanup and  
47.7 development grants under Minnesota Statutes,  
47.8 sections 116J.551 to 116J.558. This  
47.9 appropriation is available until spent.
- 47.10 (u) \$161,000 each year is from the workforce  
47.11 development fund for a grant to the Rural  
47.12 Policy and Development Center. This is a  
47.13 onetime appropriation.
- 47.14 (v) \$300,000 each year is from the workforce  
47.15 development fund for a grant to Enterprise  
47.16 Minnesota, Inc. This is a onetime  
47.17 appropriation.
- 47.18 (w) \$50,000 in fiscal year 2018 is from the  
47.19 workforce development fund for a grant to  
47.20 Fighting Chance for behavioral intervention  
47.21 programs for at-risk youth.
- 47.22 (x) \$1,350,000 each year is from the  
47.23 workforce development fund for job training  
47.24 grants under Minnesota Statutes, section  
47.25 116L.42.
- 47.26 (y)(1) \$519,000 in fiscal year 2018 is for  
47.27 grants to local communities to increase the  
47.28 supply of quality child care providers in order  
47.29 to support economic development. At least 60  
47.30 percent of grant funds must go to communities  
47.31 located outside of the seven-county  
47.32 metropolitan area, as defined under Minnesota  
47.33 Statutes, section 473.121, subdivision 2. Grant  
47.34 recipients must obtain a 50 percent nonstate

48.1 match to grant funds in either cash or in-kind  
48.2 contributions. Grant funds available under this  
48.3 paragraph must be used to implement solutions  
48.4 to reduce the child care shortage in the state  
48.5 including but not limited to funding for child  
48.6 care business start-ups or expansions, training,  
48.7 facility modifications or improvements  
48.8 required for licensing, and assistance with  
48.9 licensing and other regulatory requirements.  
48.10 In awarding grants, the commissioner must  
48.11 give priority to communities that have  
48.12 documented a shortage of child care providers  
48.13 in the area.

48.14 (2) Within one year of receiving grant funds,  
48.15 grant recipients must report to the  
48.16 commissioner on the outcomes of the grant  
48.17 program including but not limited to the  
48.18 number of new providers, the number of  
48.19 additional child care provider jobs created, the  
48.20 number of additional child care slots, and the  
48.21 amount of local funds invested.

48.22 (3) By January 1 of each year, starting in 2019,  
48.23 the commissioner must report to the standing  
48.24 committees of the legislature having  
48.25 jurisdiction over child care and economic  
48.26 development on the outcomes of the program  
48.27 to date.

48.28 (z) \$319,000 in fiscal year 2018 is from the  
48.29 general fund for a grant to the East Phillips  
48.30 Improvement Coalition to create the East  
48.31 Phillips Neighborhood Institute (EPNI) to  
48.32 expand culturally tailored resources that  
48.33 address small business growth and create  
48.34 green jobs. The grant shall fund the  
48.35 collaborative work of Tamales y Bicicletas,



49.1 Little Earth of the United Tribes, a nonprofit  
49.2 serving East Africans, and other coalition  
49.3 members ~~towards~~ toward developing EPNI as  
49.4 a community space to host activities including,  
49.5 but not limited to, creation and expansion of  
49.6 small businesses, culturally specific  
49.7 entrepreneurial activities, indoor urban  
49.8 farming, job training, education, and skills  
49.9 development for residents of this low-income,  
49.10 environmental justice designated  
49.11 neighborhood. Eligible uses for grant funds  
49.12 include, but are not limited to, planning and  
49.13 start-up costs, staff and consultant costs,  
49.14 building improvements, rent, supplies, utilities,  
49.15 vehicles, marketing, and program activities.  
49.16 The commissioner shall submit a report on  
49.17 grant activities and quantifiable outcomes to  
49.18 the committees of the house of representatives  
49.19 and the senate with jurisdiction over economic  
49.20 development by December 15, 2020. This  
49.21 appropriation is available until June 30, 2020.

49.22 (aa) \$150,000 the first year is from the  
49.23 renewable development account in the special  
49.24 revenue fund established in Minnesota  
49.25 Statutes, section 116C.779, subdivision 1, to  
49.26 conduct the biomass facility closure economic  
49.27 impact study.

49.28 (bb)(1)\$300,000 in fiscal year 2018 is for a  
49.29 grant to East Side Enterprise Center (ESEC)  
49.30 to expand culturally tailored resources that  
49.31 address small business growth and job  
49.32 creation. This appropriation is available until  
49.33 June 30, 2020. The appropriation shall fund  
49.34 the work of African Economic Development  
49.35 Solutions, the Asian Economic Development

50.1 Association, the Dayton's Bluff Community  
50.2 Council, and the Latino Economic  
50.3 Development Center in a collaborative  
50.4 approach to economic development that is  
50.5 effective with smaller, culturally diverse  
50.6 communities that seek to increase the  
50.7 productivity and success of new immigrant  
50.8 and minority populations living and working  
50.9 in the community. Programs shall provide  
50.10 minority business growth and capacity  
50.11 building that generate wealth and jobs creation  
50.12 for local residents and business owners on the  
50.13 East Side of St. Paul.

50.14 (2) In fiscal year 2019 ESEC shall use funds  
50.15 to share its integrated service model and  
50.16 evolving collaboration principles with civic  
50.17 and economic development leaders in greater  
50.18 Minnesota communities which have diverse  
50.19 populations similar to the East Side of St. Paul.  
50.20 ESEC shall submit a report of activities and  
50.21 program outcomes, including quantifiable  
50.22 measures of success annually to the house of  
50.23 representatives and senate committees with  
50.24 jurisdiction over economic development.

50.25 (cc) \$150,000 in fiscal year 2018 is for a grant  
50.26 to Mille Lacs County for the purpose of  
50.27 reimbursement grants to small resort  
50.28 businesses located in the city of Isle with less  
50.29 than \$350,000 in annual revenue, at least four  
50.30 rental units, which are open during both  
50.31 summer and winter months, and whose  
50.32 business was adversely impacted by a decline  
50.33 in walleye fishing on Lake Mille Lacs.

50.34 (dd)(1) \$250,000 in fiscal year 2018 is for a  
50.35 grant to the Small Business Development

51.1 Center hosted at Minnesota State University,  
51.2 Mankato, for a collaborative initiative with  
51.3 the Regional Center for Entrepreneurial  
51.4 Facilitation. Funds available under this section  
51.5 must be used to provide entrepreneur and  
51.6 small business development direct professional  
51.7 business assistance services in the following  
51.8 counties in Minnesota: Blue Earth, Brown,  
51.9 Faribault, Le Sueur, Martin, Nicollet, Sibley,  
51.10 Watonwan, and Waseca. For the purposes of  
51.11 this section, "direct professional business  
51.12 assistance services" must include, but is not  
51.13 limited to, pre-venture assistance for  
51.14 individuals considering starting a business.  
51.15 This appropriation is not available until the  
51.16 commissioner determines that an equal amount  
51.17 is committed from nonstate sources. Any  
51.18 balance in the first year does not cancel and  
51.19 is available for expenditure in the second year.

51.20 (2) Grant recipients shall report to the  
51.21 commissioner by February 1 of each year and  
51.22 include information on the number of  
51.23 customers served in each county; the number  
51.24 of businesses started, stabilized, or expanded;  
51.25 the number of jobs created and retained; and  
51.26 business success rates in each county. By April  
51.27 1 of each year, the commissioner shall report  
51.28 the information submitted by grant recipients  
51.29 to the chairs of the standing committees of the  
51.30 house of representatives and the senate having  
51.31 jurisdiction over economic development  
51.32 issues.

51.33 (ee) \$500,000 in fiscal year 2018 is for the  
51.34 central Minnesota opportunity grant program  
51.35 established under Minnesota Statutes, section

52.1 116J.9922. This appropriation is available until  
52.2 June 30, 2022.

52.3 (ff) \$25,000 each year is for the administration  
52.4 of state aid for the Destination Medical Center  
52.5 under Minnesota Statutes, sections 469.40 to  
52.6 469.47.

52.7 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2017.

52.8 Sec. 7. Laws 2019, First Special Session chapter 7, article 1, section 2, subdivision 2, as  
52.9 amended by Laws 2019, First Special Session chapter 12, section 4, and Laws 2020, chapter  
52.10 112, section 1, is amended to read:

52.11 Subd. 2. **Business and Community Development** 44,931,000 42,381,000

52.12 Appropriations by Fund

52.13 General 40,756,000 38,206,000

52.14 Remediation 700,000 700,000

52.15 Workforce  
52.16 Development 3,475,000 3,475,000

52.17 (a) \$1,787,000 each year is for the greater  
52.18 Minnesota business development public  
52.19 infrastructure grant program under Minnesota  
52.20 Statutes, section 116J.431. This appropriation  
52.21 is available until June 30, 2023.

52.22 (b) \$1,425,000 each year is for the business  
52.23 development competitive grant program. Of  
52.24 this amount, up to five percent is for  
52.25 administration and monitoring of the business  
52.26 development competitive grant program. All  
52.27 grant awards shall be for two consecutive  
52.28 years. Grants shall be awarded in the first year.

52.29 (c) \$1,772,000 each year is for contaminated  
52.30 site cleanup and development grants under  
52.31 Minnesota Statutes, sections 116J.551 to  
52.32 116J.558. This appropriation is available until  
52.33 June 30, 2023.

53.1 (d) \$700,000 each year is from the remediation  
53.2 fund for contaminated site cleanup and  
53.3 development grants under Minnesota Statutes,  
53.4 sections 116J.551 to 116J.558. This  
53.5 appropriation is available until June 30, 2023.

53.6 (e) \$139,000 each year is for the Center for  
53.7 Rural Policy and Development.

53.8 (f) \$25,000 each year is for the administration  
53.9 of state aid for the Destination Medical Center  
53.10 under Minnesota Statutes, sections 469.40 to  
53.11 469.47.

53.12 (g) \$875,000 each year is for the host  
53.13 community economic development program  
53.14 established in Minnesota Statutes, section  
53.15 116J.548.

53.16 (h) \$125,000 each year is from the workforce  
53.17 development fund for a grant to the White  
53.18 Earth Nation for the White Earth Nation  
53.19 Integrated Business Development System to  
53.20 provide business assistance with workforce  
53.21 development, outreach, technical assistance,  
53.22 infrastructure and operational support,  
53.23 financing, and other business development  
53.24 activities. This is a onetime appropriation.

53.25 (i) \$450,000 each year is from the workforce  
53.26 development fund for a grant to Enterprise  
53.27 Minnesota, Inc. for the small business growth  
53.28 acceleration program under Minnesota  
53.29 Statutes, section 116O.115. This is a onetime  
53.30 appropriation.

53.31 (j) \$250,000 the first year is for a grant to the  
53.32 Rondo Community Land Trust for  
53.33 improvements to leased commercial space in  
53.34 the Selby Milton Victoria Project that will

54.1 create long-term affordable space for small  
54.2 businesses and for build-out and development  
54.3 of new businesses.

54.4 (k) \$400,000 each year is from the workforce  
54.5 development fund for a grant to the  
54.6 Metropolitan Economic Development  
54.7 Association (MEDA) for statewide business  
54.8 development and assistance services, including  
54.9 services to entrepreneurs with businesses that  
54.10 have the potential to create job opportunities  
54.11 for unemployed and underemployed people,  
54.12 with an emphasis on minority-owned  
54.13 businesses. This is a onetime appropriation.

54.14 (l) \$750,000 in fiscal year 2020 is for grants  
54.15 to local communities to increase the supply of  
54.16 quality child care providers to support  
54.17 economic development. At least 60 percent of  
54.18 grant funds must go to communities located  
54.19 outside of the seven-county metropolitan area  
54.20 as defined under Minnesota Statutes, section  
54.21 473.121, subdivision 2. Grant recipients must  
54.22 obtain a 50 percent nonstate match to grant  
54.23 funds in either cash or in-kind contributions.  
54.24 Grant funds available under this section must  
54.25 be used to implement projects to reduce the  
54.26 child care shortage in the state, including but  
54.27 not limited to funding for child care business  
54.28 start-ups or expansion, training, facility  
54.29 modifications or improvements required for  
54.30 licensing, and assistance with licensing and  
54.31 other regulatory requirements. In awarding  
54.32 grants, the commissioner must give priority  
54.33 to communities that have demonstrated a  
54.34 shortage of child care providers in the area.  
54.35 This is a onetime appropriation. Within one

55.1 year of receiving grant funds, grant recipients  
55.2 must report to the commissioner on the  
55.3 outcomes of the grant program, including but  
55.4 not limited to the number of new providers,  
55.5 the number of additional child care provider  
55.6 jobs created, the number of additional child  
55.7 care slots, and the amount of cash and in-kind  
55.8 local funds invested.

55.9 (m) \$750,000 in fiscal year 2020 is for a grant  
55.10 to the Minnesota Initiative Foundations. This  
55.11 is a onetime appropriation and is available  
55.12 until June 30, 2023. The Minnesota Initiative  
55.13 Foundations must use grant funds under this  
55.14 section to:

55.15 (1) facilitate planning processes for rural  
55.16 communities resulting in a community solution  
55.17 action plan that guides decision making to  
55.18 sustain and increase the supply of quality child  
55.19 care in the region to support economic  
55.20 development;

55.21 (2) engage the private sector to invest local  
55.22 resources to support the community solution  
55.23 action plan and ensure quality child care is a  
55.24 vital component of additional regional  
55.25 economic development planning processes;

55.26 (3) provide locally based training and technical  
55.27 assistance to rural child care business owners  
55.28 individually or through a learning cohort.

55.29 Access to financial and business development  
55.30 assistance must prepare child care businesses  
55.31 for quality engagement and improvement by  
55.32 stabilizing operations, leveraging funding from  
55.33 other sources, and fostering business acumen  
55.34 that allows child care businesses to plan for

56.1 and afford the cost of providing quality child  
56.2 care; or

56.3 (4) recruit child care programs to participate  
56.4 in Parent Aware, Minnesota's quality and  
56.5 improvement rating system, and other high  
56.6 quality measurement programs. The Minnesota  
56.7 Initiative Foundations must work with local  
56.8 partners to provide low-cost training,  
56.9 professional development opportunities, and  
56.10 continuing education curricula. The Minnesota  
56.11 Initiative Foundations must fund, through local  
56.12 partners, an enhanced level of coaching to  
56.13 rural child care providers to obtain a quality  
56.14 rating through Parent Aware or other high  
56.15 quality measurement programs.

56.16 (n)(1) \$650,000 each year from the workforce  
56.17 development fund is for grants to the  
56.18 Neighborhood Development Center for small  
56.19 business programs. This is a onetime  
56.20 appropriation.

56.21 (2) Of the amount appropriated in the first  
56.22 year, \$150,000 is for outreach and training  
56.23 activities outside the seven-county  
56.24 metropolitan area, as defined in Minnesota  
56.25 Statutes, section 473.121, subdivision 2.

56.26 (o) \$8,000,000 each year is for the Minnesota  
56.27 job creation fund under Minnesota Statutes,  
56.28 section 116J.8748. Of this amount, the  
56.29 commissioner of employment and economic  
56.30 development may use up to three percent for  
56.31 administrative expenses. This appropriation  
56.32 is available until expended.

56.33 (p)(1) \$11,970,000 each year is for the  
56.34 Minnesota investment fund under Minnesota



57.1 Statutes, section 116J.8731. Of this amount,  
 57.2 the commissioner of employment and  
 57.3 economic development may use up to three  
 57.4 percent for administration and monitoring of  
 57.5 the program. In fiscal year 2022 and beyond,  
 57.6 the base amount is \$12,370,000. This  
 57.7 appropriation is available until expended.

57.8 Notwithstanding Minnesota Statutes, section  
 57.9 116J.8731, funds appropriated to the  
 57.10 commissioner for the Minnesota investment  
 57.11 fund may be used for the redevelopment  
 57.12 program under Minnesota Statutes, sections  
 57.13 116J.575 and 116J.5761, at the discretion of  
 57.14 the commissioner. Grants under this paragraph  
 57.15 are not subject to the grant amount limitation  
 57.16 under Minnesota Statutes, section 116J.8731.

57.17 (2) Of the amount appropriated in the first  
 57.18 year, ~~\$2,000,000~~ \$3,000,000 is for a loan to a  
 57.19 paper mill in Duluth for a retrofit project that  
 57.20 will support the ~~operation and manufacture of~~  
 57.21 packaging conversion of the existing Duluth  
 57.22 paper mill for the manufacture of new paper  
 57.23 grades. The company that owns the paper mill  
 57.24 must spend \$20,000,000 on invest  
 57.25 \$25,000,000 in project activities by December  
 57.26 31, 2020 May 1, 2023, in order to be eligible  
 57.27 to receive this loan. Loan funds may be used  
 57.28 for purchases of materials, supplies, and  
 57.29 equipment for the project and are available  
 57.30 from ~~July 1, 2019~~ April 1, 2021, to ~~July 30,~~  
 57.31 ~~2021~~ May 1, 2023. The commissioner of  
 57.32 employment and economic development shall  
 57.33 forgive 25 percent of the loan each year after  
 57.34 the second year during a five-year period if  
 57.35 the mill has retained at least ~~150~~ 80 full-time  
 57.36 equivalent employees and has satisfied other

58.1 performance goals and contractual obligations  
58.2 as required under Minnesota Statutes, section  
58.3 116J.8731.

58.4 (q) \$700,000 in fiscal year 2020 is for the  
58.5 airport infrastructure renewal (AIR) grant  
58.6 program under Minnesota Statutes, section  
58.7 116J.439.

58.8 (r) \$100,000 in fiscal year 2020 is for a grant  
58.9 to FIRST in Upper Midwest to support  
58.10 competitive robotics teams. Funds must be  
58.11 used to make up to five awards of no more  
58.12 than \$20,000 each to Minnesota-based public  
58.13 entities or private nonprofit organizations for  
58.14 the creation of competitive robotics hubs.

58.15 Awards may be used for tools, equipment, and  
58.16 physical space to be utilized by robotics teams.

58.17 At least 50 percent of grant funds must be used  
58.18 outside of the seven-county metropolitan area,  
58.19 as defined under Minnesota Statutes, section  
58.20 473.121, subdivision 2. The grant recipient  
58.21 shall report to the chairs and ranking minority  
58.22 members of the legislative committees with  
58.23 jurisdiction over jobs and economic growth  
58.24 by February 1, 2021, on the status of awards  
58.25 and include information on the number and  
58.26 amount of awards made, the number of  
58.27 customers served, and any outcomes resulting  
58.28 from the grant. The grant requires a 50 percent  
58.29 match from nonstate sources.

58.30 (s) \$1,000,000 each year is for the Minnesota  
58.31 emerging entrepreneur loan program under  
58.32 Minnesota Statutes, section 116M.18. Funds  
58.33 available under this paragraph are for transfer  
58.34 into the emerging entrepreneur program  
58.35 special revenue fund account created under

59.1 Minnesota Statutes, chapter 116M, and are  
59.2 available until expended. Of this amount, up  
59.3 to four percent is for administration and  
59.4 monitoring of the program.

59.5 (t) \$163,000 each year is for the Minnesota  
59.6 Film and TV Board. The appropriation in each  
59.7 year is available only upon receipt by the  
59.8 board of \$1 in matching contributions of  
59.9 money or in-kind contributions from nonstate  
59.10 sources for every \$3 provided by this  
59.11 appropriation, except that each year up to  
59.12 \$50,000 is available on July 1 even if the  
59.13 required matching contribution has not been  
59.14 received by that date.

59.15 (u) \$12,000 each year is for a grant to the  
59.16 Upper Minnesota Film Office.

59.17 (v) \$500,000 each year is from the general  
59.18 fund for a grant to the Minnesota Film and TV  
59.19 Board for the film production jobs program  
59.20 under Minnesota Statutes, section 116U.26.  
59.21 This appropriation is available until June 30,  
59.22 2023.

59.23 (w) \$4,195,000 each year is for the Minnesota  
59.24 job skills partnership program under  
59.25 Minnesota Statutes, sections 116L.01 to  
59.26 116L.17. If the appropriation for either year  
59.27 is insufficient, the appropriation for the other  
59.28 year is available. This appropriation is  
59.29 available until expended.

59.30 (x) \$1,350,000 each year is from the  
59.31 workforce development fund for jobs training  
59.32 grants under Minnesota Statutes, section  
59.33 116L.42.

60.1 (y) \$2,500,000 each year is for Launch  
60.2 Minnesota. This is a onetime appropriation  
60.3 and funds are available until June 30, 2023.  
60.4 Of this amount:

60.5 (1) \$1,600,000 each year is for innovation  
60.6 grants to eligible Minnesota entrepreneurs or  
60.7 start-up businesses to assist with their  
60.8 operating needs;

60.9 (2) \$450,000 each year is for administration  
60.10 of Launch Minnesota; and

60.11 (3) \$450,000 each year is for grantee activities  
60.12 at Launch Minnesota.

60.13 (z) \$500,000 each year is from the workforce  
60.14 development fund for a grant to Youthprise  
60.15 to give grants through a competitive process  
60.16 to community organizations to provide  
60.17 economic development services designed to  
60.18 enhance long-term economic self-sufficiency  
60.19 in communities with concentrated East African  
60.20 populations. Such communities include but  
60.21 are not limited to Faribault, Rochester, St.  
60.22 Cloud, Moorhead, and Willmar. To the extent  
60.23 possible, Youthprise must make at least 50  
60.24 percent of these grants to organizations serving  
60.25 communities located outside the seven-county  
60.26 metropolitan area, as defined in Minnesota  
60.27 Statutes, section 473.121, subdivision 2. This  
60.28 is a onetime appropriation and is available  
60.29 until June 30, 2022.

60.30 (aa) \$125,000 each year is for a grant to the  
60.31 Hmong Chamber of Commerce to train  
60.32 ethnically Southeast Asian business owners  
60.33 and operators in better business practices. This  
60.34 is a onetime appropriation.

61.1 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

61.2 Sec. 8. Laws 2019, First Special Session chapter 7, article 1, section 3, subdivision 4, is  
61.3 amended to read:

61.4 Subd. 4. **Workers' Compensation** 14,882,000 11,882,000

61.5 \$3,000,000 the first year is from the workers'  
61.6 compensation fund for workers' compensation  
61.7 system upgrades. This amount is available  
61.8 until June 30, ~~2021~~ 2023. This is a onetime  
61.9 appropriation.

61.10 Sec. 9. **MINNESOTA INVESTMENT FUND JOB CREATION GOALS EXTENSION.**

61.11 Notwithstanding any other law to the contrary, a recipient of a Minnesota Investment  
61.12 Fund grant under Minnesota Statutes, section 116J.8731, who is unable to meet the job  
61.13 creation goals of the agreement during a peacetime emergency related to the COVID-19  
61.14 pandemic shall be granted an extension until December 31, 2022, to meet those job creation  
61.15 goals before the grant must be repaid.

61.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

61.17 Sec. 10. **ONETIME EXCEPTION TO RESTRICTIONS ON USE OF MINNESOTA**  
61.18 **INVESTMENT FUND LOCAL GOVERNMENT LOAN REPAYMENT FUNDS.**

61.19 (a) Notwithstanding Minnesota Statutes, section 116J.8731, a home rule charter or  
61.20 statutory city, county, or town that has uncommitted money received from repayment of  
61.21 funds awarded under Minnesota Statutes, section 116J.8731, may choose to transfer 20  
61.22 percent of the balance of that money to the state general fund before June 30, 2022. Any  
61.23 local entity that does so may then use the remaining 80 percent of the uncommitted money  
61.24 as a general purpose aid for any lawful expenditure.

61.25 (b) By February 15, 2023, a home rule charter or statutory city, county, or town that  
61.26 exercises the option under paragraph (a) shall submit to the chairs of the legislative  
61.27 committees with jurisdiction over economic development policy and finance an accounting  
61.28 and explanation of the use and distribution of the funds.

62.1      Sec. 11. **REOPENING OF BUSINESSES FOR SAFE OPERATION DURING**  
62.2 **COVID-19 PANDEMIC.**

62.3      Notwithstanding Executive Order 20-04, as extended, amended, and otherwise modified  
62.4 by Executive Order 20-08, Executive Order 20-18, Executive Order 20-33, Executive Order  
62.5 20-99, and any related executive orders issued pursuant to Minnesota Statutes, section 12.21  
62.6 or 12.31, a business closed to ingress, egress, use, and occupancy by members of the public  
62.7 pursuant to the executive orders listed may fully operate with no capacity limitations provided  
62.8 that the business:

62.9      (1) develops a COVID-19 safety plan, which shall provide site-specific best practices  
62.10 for the business including, but not limited to, health and wellness; social distancing; cleaning,  
62.11 sanitation, and protection; and operations and communications for employees and members  
62.12 of the public; and

62.13      (2) makes a good faith effort to maintain a safe and healthful workplace and business  
62.14 operation.

62.15      No board or licensing agency may impose any additional penalties for a violation of the  
62.16 governor's emergency executive orders.

62.17      **EFFECTIVE DATE.** This section is effective the day following final enactment.

62.18      Sec. 12. **STATEWIDE SMALL BUSINESS RELIEF LOAN GUARANTEE**  
62.19 **PROGRAM.**

62.20      Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
62.21 the meanings given.

62.22      (b) "Borrower" means a small business receiving an eligible loan under this section.

62.23      (c) "Commissioner" means the commissioner of employment and economic development.

62.24      (d) "Eligible loan" means a loan to a small business to be used for business purposes  
62.25 exclusively in Minnesota, including: machinery or equipment purchases, maintenance, or  
62.26 repair; expenses related to moving into or within Minnesota; property improvements or  
62.27 repairs; and working capital when the working capital is secured by fixed assets when  
62.28 possible. Loans may not be used to finance the transfer of ownership of real properties or  
62.29 businesses.

62.30      (e) "Loan guarantee" means a guarantee of 80 percent of the loan amount provided by  
62.31 a QED lender that is guaranteed for a maximum period of seven years from the date of

63.1 origination of the loan. The guaranteed portion of the loan must not exceed \$200,000, and  
63.2 may be subordinate to other loans made by lenders in the overall financing package.

63.3 (f) "Loan guarantee trust fund" means a dedicated fund established under this section  
63.4 for the purpose of compensation for defaulted loan guarantees and for program  
63.5 administration.

63.6 (g) "Qualified economic development lender" or "QED lender" means a bank or other  
63.7 commercial lender, a public entity, or a private nonprofit economic development organization  
63.8 with not less than three years of active lending experience that provides financing to small  
63.9 businesses.

63.10 (h) "Small business" means a business employing no more than the equivalent of 250  
63.11 full-time persons in Minnesota.

63.12 (i) "Subordinated loan" means a loan secured by a lien that is lower in priority than one  
63.13 or more specified other liens.

63.14 Subd. 2. **Loan guarantee program.** A small business loan guarantee program to support  
63.15 the origination of small business loans that are expected to be made to Minnesota businesses  
63.16 by a QED lender is created in the Department of Employment and Economic Development.  
63.17 The loan guarantee shall apply only to the portion of the loan that was made by the QED  
63.18 lender.

63.19 Subd. 3. **Required provisions.** Loan guarantees under this section for loans by QED  
63.20 lenders shall provide that:

63.21 (1) principal and interest payments made by the borrower under the terms of the loan  
63.22 are to reduce the guaranteed and nonguaranteed portion of the loan on a proportionate basis.  
63.23 The nonguaranteed portion shall not receive preferential treatment over the guaranteed  
63.24 portion;

63.25 (2) the QED lender shall not accelerate repayment of the loan or exercise other remedies  
63.26 if the borrower defaults, unless:

63.27 (i) the borrower fails to make a required payment of principal or interest within 60 days  
63.28 of the due date;

63.29 (ii) the commissioner consents in writing; or

63.30 (iii) the loan guarantee agreement provides for accelerated repayment or other remedies.

64.1 In the event of a default, the QED lender may not make a demand for payment pursuant to  
64.2 the guarantee unless the commissioner agrees in writing that the default has materially  
64.3 affected the rights or security of the parties;

64.4 (3) the QED lender has timely prepared and delivered to the commissioner, annually by  
64.5 the date specified in the loan guarantee, an audited or reviewed financial statement for the  
64.6 loan, prepared by a certified public accountant according to generally accepted accounting  
64.7 principles, if available, and documentation that the borrower used the loan proceeds solely  
64.8 for purposes of its Minnesota operations;

64.9 (4) the commissioner has access to the loan documents prior to approval of the state  
64.10 credit enhancement;

64.11 (5) the QED lender maintains adequate records and documents concerning the loan so  
64.12 that the commissioner may determine the borrower's financial condition and compliance  
64.13 with program requirements;

64.14 (6) interest is not charged to the small business borrower during the first 12 months of  
64.15 the loan term;

64.16 (7) an amount equal to the foregone interest under clause (6) is provided to the QED  
64.17 lender by the commissioner; and

64.18 (8) orderly liquidation of collateral securing the loan is provided for in the event of  
64.19 default, with an option on the part of the commissioner to acquire the QED lender's interest  
64.20 in the assets pursuant to the loan guarantee.

64.21 Subd. 4. **Loan guarantee trust fund established.** A loan guarantee trust fund account  
64.22 in the special revenue fund is created in the state treasury to pay for defaulted loan guarantees.  
64.23 The commissioner shall administer this fund and provide annual reports concerning the  
64.24 performance of the fund to the chairs of the standing committees of the house of  
64.25 representatives and senate having jurisdiction over economic development issues.

64.26 Subd. 5. **Limitation.** The commissioner must accept loans up to but not exceeding  
64.27 \$250,000,000.

64.28 Subd. 6. **Guarantee fee.** Participating QED lenders shall pay a fee to the fund of 0.25  
64.29 percent of the principal amount of each guaranteed loan upon approval of each loan  
64.30 guarantee. The guarantee fee, along with any interest earnings from the trust fund, shall be  
64.31 used only for the administration of the small business loan guarantee program and as  
64.32 additional loan loss reserves.



65.1 Subd. 7. **Loan guarantee application.** The commissioner shall prepare a form for QED  
 65.2 lenders to use in applying for loan guarantees under this section. The form shall include the  
 65.3 following information:

65.4 (1) the name and contact information for the QED lender, including the name and title  
 65.5 of a contact person;

65.6 (2) the names of the financial institutions, including the names and titles of contact  
 65.7 persons, that are participating in the total financing being provided to the small business  
 65.8 borrower, along with the dollar amount of the loan provided by the financial institution;

65.9 (3) the percentage and dollar amount of the subordinated debt loan provided to the  
 65.10 Minnesota small business by the QED lender;

65.11 (4) the loan guarantee amount that is requested from the program;

65.12 (5) foregone interest due from the small business borrower during the first 12 months  
 65.13 of the loan term; and

65.14 (6) other information as requested by the commissioner.

65.15 Subd. 8. **Notice and application process.** Subject to the availability of funds under  
 65.16 subdivision 4, the commissioner shall publish a notice regarding the opportunity for QED  
 65.17 lenders to originate loans. The commissioner shall decide whether to provide a loan guarantee  
 65.18 for each loan based on:

65.19 (1) the completeness of the loan guarantee application;

65.20 (2) the availability of funds in the loan guarantee trust fund; and

65.21 (3) execution of agreements that satisfy requirements established in subdivision 3.

65.22 Subd. 9. **Reporting.** By January 15, 2025, the commissioner shall report to the legislative  
 65.23 committees with jurisdiction over economic development policy and finance on the loan  
 65.24 guarantees provided under this section.

65.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

65.26 **ARTICLE 4**

65.27 **UNEMPLOYMENT INSURANCE**

65.28 Section 1. Minnesota Statutes 2020, section 268.035, subdivision 21c, is amended to read:

65.29 Subd. 21c. **Reemployment assistance training.** (a) An applicant is in "reemployment  
 65.30 assistance training" when:

66.1 (1)(i) a reasonable opportunity for suitable employment for the applicant does not exist  
 66.2 in the labor market area and additional training will assist the applicant in obtaining suitable  
 66.3 employment;

66.4 ~~(2)~~ (ii) the curriculum, facilities, staff, and other essentials are adequate to achieve the  
 66.5 training objective;

66.6 ~~(3)~~ (iii) the training is vocational or short term academic training directed to an occupation  
 66.7 or skill that will substantially enhance the employment opportunities available to the applicant  
 66.8 in the applicant's labor market area;

66.9 ~~(4)~~ (iv) the training course is full time by the training provider; and

66.10 ~~(5)~~ (v) the applicant is making satisfactory progress in the training;

66.11 (2) the applicant can provide proof of enrollment in one or more programs offered by  
 66.12 an adult basic education consortium under section 124D.518. Programs may include but  
 66.13 are not limited to:

66.14 (i) general educational development diploma preparation;

66.15 (ii) local credit completion adult high school diploma preparation;

66.16 (iii) state competency-based adult high school diploma preparation;

66.17 (iv) basic skills enhancement training focused on math, functional literacy, reading, or  
 66.18 writing;

66.19 (v) computer skills training; or

66.20 (vi) English as a second language instruction;

66.21 (3) the applicant can provide proof of enrollment in an English as a second language  
 66.22 program taught by a licensed instructor;

66.23 (4) the applicant can provide proof of enrollment in an over-the-road truck driving  
 66.24 training program offered by a college or university within the Minnesota state system; or

66.25 (5) the applicant can provide proof of enrollment in a program funded under section  
 66.26 116L.99.

66.27 (b) Full-time training provided through the dislocated worker program, the Trade Act  
 66.28 of 1974, as amended, or the North American Free Trade Agreement is "reemployment  
 66.29 assistance training," if that training course is in accordance with the requirements of that  
 66.30 program.

67.1 (c) Apprenticeship training provided in order to meet the requirements of an  
67.2 apprenticeship program under chapter 178 is "reemployment assistance training."

67.3 (d) An applicant is in reemployment assistance training only if the training course has  
67.4 actually started or is scheduled to start within 30 calendar days.

67.5 **EFFECTIVE DATE.** This section is effective the day following attainment of a  
67.6 \$750,000,000 positive balance in the unemployment insurance trust fund established in  
67.7 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

67.8 Sec. 2. Minnesota Statutes 2020, section 268.085, subdivision 2, is amended to read:

67.9 Subd. 2. **Not eligible.** An applicant is ineligible for unemployment benefits for any week:

67.10 (1) that occurs before the effective date of a benefit account;

67.11 (2) that the applicant, at any time during the week, has an outstanding misrepresentation  
67.12 overpayment balance under section 268.18, subdivision 2, including any penalties and  
67.13 interest;

67.14 ~~(3) that occurs in a period when the applicant is a student in attendance at, or on vacation~~  
67.15 ~~from a secondary school including the period between academic years or terms;~~

67.16 ~~(4)~~ (3) that the applicant is incarcerated or performing court-ordered community service.  
67.17 The applicant's weekly unemployment benefit amount is reduced by one-fifth for each day  
67.18 the applicant is incarcerated or performing court-ordered community service;

67.19 ~~(5)~~ (4) that the applicant fails or refuses to provide information on an issue of ineligibility  
67.20 required under section 268.101;

67.21 ~~(6)~~ (5) that the applicant is performing services 32 hours or more, in employment, covered  
67.22 employment, noncovered employment, volunteer work, or self-employment regardless of  
67.23 the amount of any earnings; or

67.24 ~~(7)~~ (6) with respect to which the applicant has filed an application for unemployment  
67.25 benefits under any federal law or the law of any other state. If the appropriate agency finally  
67.26 determines that the applicant is not entitled to establish a benefit account under federal law  
67.27 or the law of any other state, this clause does not apply.

67.28 **EFFECTIVE DATE.** This section is effective the day following attainment of a  
67.29 \$750,000,000 positive balance in the unemployment insurance trust fund established in  
67.30 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

68.1 Sec. 3. Minnesota Statutes 2020, section 268.085, subdivision 4a, is amended to read:

68.2 Subd. 4a. **Social Security disability benefits.** (a) An applicant who is receiving, has  
68.3 received, or has filed for primary Social Security disability benefits for any week is ineligible  
68.4 for unemployment benefits for that week, unless:

68.5 (1) the Social Security Administration approved the collecting of primary Social Security  
68.6 disability benefits each month the applicant was employed during the base period; or

68.7 (2) the applicant provides a statement from an appropriate health care professional who  
68.8 is aware of the applicant's Social Security disability claim and the basis for that claim,  
68.9 certifying that the applicant is available for suitable employment.

68.10 (b) If an applicant meets the requirements of paragraph (a), clause (1), there is no  
68.11 deduction from the applicant's weekly benefit amount for any Social Security disability  
68.12 benefits.

68.13 ~~(c) If an applicant meets the requirements of paragraph (a), clause (2), there must be~~  
68.14 ~~deducted from the applicant's weekly unemployment benefit amount 50 percent of the~~  
68.15 ~~weekly equivalent of the primary Social Security disability benefits the applicant is receiving,~~  
68.16 ~~has received, or has filed for, with respect to that week.~~

68.17 ~~If the Social Security Administration determines that the applicant is not entitled to~~  
68.18 ~~receive primary Social Security disability benefits for any week the applicant has applied~~  
68.19 ~~for those benefits, then this paragraph does not apply to that week.~~

68.20 ~~(d)~~ Information from the Social Security Administration is conclusive, absent specific  
68.21 evidence showing that the information was erroneous.

68.22 ~~(e)~~ (d) This subdivision does not apply to Social Security survivor benefits.

68.23 **EFFECTIVE DATE.** This section is effective the day following attainment of a  
68.24 \$750,000,000 positive balance in the unemployment insurance trust fund established in  
68.25 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

68.26 Sec. 4. Minnesota Statutes 2020, section 268.133, is amended to read:

68.27 **268.133 UNEMPLOYMENT BENEFITS WHILE IN ENTREPRENEURIAL**  
68.28 **TRAINING.**

68.29 Unemployment benefits are available to dislocated workers participating in the converting  
68.30 layoffs into Minnesota businesses (CLIMB) program under section 116L.17, subdivision  
68.31 11. Applicants participating in CLIMB are considered in reemployment assistance training

69.1 under section 268.035, subdivision 21c. All requirements under section 268.069, subdivision  
69.2 1, must be met, except the commissioner may waive:

69.3 (1) the deductible earnings provisions in section 268.085, subdivision 5; and

69.4 (2) the 32 hours of work limitation in section 268.085, subdivision 2, clause ~~(6)~~ (5). A  
69.5 maximum of 500 applicants may receive a waiver at any given time.

69.6 **EFFECTIVE DATE.** This section is effective the day following attainment of a  
69.7 \$750,000,000 positive balance in the unemployment insurance trust fund established in  
69.8 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.

69.9 Sec. 5. Minnesota Statutes 2020, section 268.136, subdivision 1, is amended to read:

69.10 Subdivision 1. **Shared work plan requirements.** An employer may submit a proposed  
69.11 shared work plan for an employee group to the commissioner for approval in a manner and  
69.12 format set by the commissioner. The proposed shared work plan must include:

69.13 (1) a certified statement that the normal weekly hours of work of all of the proposed  
69.14 participating employees were full time or regular part time but are now reduced, or will be  
69.15 reduced, with a corresponding reduction in pay, in order to prevent layoffs;

69.16 (2) the name and Social Security number of each participating employee;

69.17 (3) the number of layoffs that would have occurred absent the employer's ability to  
69.18 participate in a shared work plan;

69.19 (4) a certified statement that each participating employee was first hired by the employer  
69.20 at least ~~one year~~ three months before the proposed shared work plan is submitted and is not  
69.21 a seasonal, temporary, or intermittent worker;

69.22 (5) the hours of work each participating employee will work each week for the duration  
69.23 of the shared work plan, which must be at least 50 percent of the normal weekly hours but  
69.24 no more than 80 percent of the normal weekly hours, except that the plan may provide for  
69.25 a uniform vacation shutdown of up to two weeks;

69.26 (6) a certified statement that any health benefits and pension benefits provided by the  
69.27 employer to participating employees will continue to be provided under the same terms and  
69.28 conditions as though the participating employees' hours of work each week had not been  
69.29 reduced;

69.30 (7) a certified statement that the terms and implementation of the shared work plan is  
69.31 consistent with the employer's obligations under state and federal law;

70.1 (8) an acknowledgment that the employer understands that unemployment benefits paid  
70.2 under a shared work plan will be used in computing the future tax rate of a taxpaying  
70.3 employer or charged to the reimbursable account of a nonprofit or government employer;

70.4 (9) the proposed duration of the shared work plan, which must be at least two months  
70.5 and not more than one year, although a plan may be extended for up to an additional year  
70.6 upon approval of the commissioner;

70.7 (10) a starting date beginning on a Sunday at least 15 calendar days after the date the  
70.8 proposed shared work plan is submitted; and

70.9 (11) a signature of an owner or officer of the employer who is listed as an owner or  
70.10 officer on the employer's account under section 268.045.

70.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

70.12 Sec. 6. Laws 2020, chapter 71, article 2, section 20, is amended to read:

70.13 Sec. 20. **SUITABLE EMPLOYMENT DURING COVID-19 PANDEMIC.**

70.14 (a) Notwithstanding the definition of "suitable employment" provided in Minnesota  
70.15 Statutes, section 268.035, subdivision 23a, for an applicant applying for unemployment  
70.16 insurance benefits between March 1, 2020, and December 31, 2020, employment is not  
70.17 suitable under Minnesota Statutes, section 268.035, subdivision 23a, paragraphs (a) and  
70.18 (b), if:

70.19 (1) the employment puts the health and safety of the applicant at risk due to potential  
70.20 exposure of the applicant to COVID-19; or

70.21 (2) the employment puts the health and safety of other workers and the general public  
70.22 at risk due to potential exposure of the other workers and the general public to COVID-19.

70.23 (b) Notwithstanding Executive Order 20-05, as extended, amended, and otherwise  
70.24 modified by Executive Order 20-29 and Executive Order 20-102, the exception under this  
70.25 section expires on December 31, 2020.

70.26 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

71.1 Sec. 7. Laws 2020, chapter 71, article 2, section 22, is amended to read:

71.2 Sec. 22. **TEMPORARY SUSPENSION OF FIVE-WEEK BUSINESS OWNER**  
71.3 **BENEFIT LIMITATION.**

71.4 Notwithstanding Executive Order 20-05, as extended, amended, and otherwise modified  
71.5 by Executive Order 20-29 and Executive Order 20-102, and Minnesota Statutes, section  
71.6 268.085, subdivision 9, the five-week limitation for receipt of unemployment benefits for  
71.7 business owners is suspended for applicants for unemployment insurance benefit accounts  
71.8 established between March 1, 2020, and ~~December 31, 2020~~ September 6, 2021.

71.9 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

71.10 Sec. 8. Laws 2020, chapter 71, article 2, section 23, is amended to read:

71.11 Sec. 23. **LEAVE OF ABSENCE DUE TO COVID-19.**

71.12 Notwithstanding Executive Order 20-05, as extended, amended, and otherwise modified  
71.13 by Executive Order 20-29 and Executive Order 20-102, and Minnesota Statutes, section  
71.14 268.085, subdivision 13a, for an applicant applying for an unemployment insurance benefits  
71.15 account established between March 1, 2020, and ~~December 31, 2020~~ September 6, 2021,  
71.16 a leave of absence is presumed to be an involuntary leave of absence and not ineligible if:

71.17 (1) a determination has been made by health authorities or by a health care professional  
71.18 that the presence of the applicant in the workplace would jeopardize the health of others,  
71.19 whether or not the applicant has actually contracted a communicable disease;

71.20 (2) a quarantine or isolation order has been issued to the applicant pursuant to Minnesota  
71.21 Statutes, sections 144.419 to 144.4196;

71.22 (3) there is a recommendation from health authorities or from a health care professional  
71.23 that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19  
71.24 due to being immunocompromised;

71.25 (4) the applicant has been instructed by the applicant's employer not to come to the  
71.26 employer's place of business due to an outbreak of a communicable disease; or

71.27 (5) the applicant has received a notification from a school district, day care, or other  
71.28 child care provider that either (i) classes are canceled, or (ii) the applicant's ordinary child  
71.29 care is unavailable, provided that the applicant made reasonable effort to obtain other child  
71.30 care and requested time off or other accommodation from the employer and no reasonable  
71.31 accommodation was available.

72.1 **EFFECTIVE DATE.** This section is effective retroactively from December 30, 2020.

72.2 Sec. 9. **REPEALER.**

72.3 Minnesota Statutes 2020, section 268.085, subdivision 4, is repealed.

72.4 **EFFECTIVE DATE.** This section is effective the day following attainment of a

72.5 \$750,000,000 positive balance in the unemployment insurance trust fund established in

72.6 Minnesota Statutes, section 268.194, occurring after the date of enactment of this section.



**181.9414 PREGNANCY ACCOMMODATIONS.**

Subdivision 1. **Accommodation.** An employer must provide reasonable accommodations to an employee for health conditions related to pregnancy or childbirth if she so requests, with the advice of her licensed health care provider or certified doula, unless the employer demonstrates that the accommodation would impose an undue hardship on the operation of the employer's business. A pregnant employee shall not be required to obtain the advice of her licensed health care provider or certified doula, nor may an employer claim undue hardship for the following accommodations: (1) more frequent restroom, food, and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. "Reasonable accommodation" may include, but is not limited to, temporary transfer to a less strenuous or hazardous position, seating, frequent restroom breaks, and limits to heavy lifting. Notwithstanding any other provision of this section, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this section, and shall not be required to discharge any employee, transfer any other employee with greater seniority, or promote any employee.

Subd. 2. **Interaction with other laws.** Nothing in this section shall be construed to affect any other provision of law relating to sex discrimination or pregnancy, or in any way to diminish the coverage of pregnancy, childbirth, or health conditions related to pregnancy or childbirth under any other provisions of any other law.

Subd. 3. **No employer retribution.** An employer shall not retaliate against an employee for requesting or obtaining accommodation under this section.

Subd. 4. **Employee not required to take leave.** An employer shall not require an employee to take a leave or accept an accommodation.

**268.085 ELIGIBILITY REQUIREMENTS; PAYMENTS THAT AFFECT BENEFITS.**

Subd. 4. **Social Security old age insurance benefits.** (a) If all of the applicant's wage credits were earned while the applicant was claiming Social Security old age benefits, there is no deduction of the Social Security benefits from the applicant's weekly unemployment benefit amount.

(b) Unless paragraph (a) applies, 50 percent of the weekly equivalent of the primary Social Security old age benefit the applicant has received, has filed for, or intends to file for, with respect to that week must be deducted from an applicant's weekly unemployment benefit amount.

(c) Any applicant aged 62 or over is required to state when filing an application for unemployment benefits and when filing continued requests for unemployment benefits if the applicant is receiving, has filed for, or intends to file for, primary Social Security old age benefits.

(d) Information from the Social Security Administration is conclusive, absent specific evidence showing that the information was erroneous.

(e) This subdivision does not apply to Social Security survivor benefits.