

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3035

(SENATE AUTHORS: CHAMPION and Mohamed)

Table with columns: DATE, D-PG, OFFICIAL STATUS. Rows include dates from 03/22/2023 to 04/14/2023 and corresponding bill numbers and actions.

1.1 A bill for an act
1.2 relating to state government; establishing the biennial budget for the Department
1.3 of Employment and Economic Development, Explore Minnesota, Department of
1.4 Labor and Industry, Workers' Compensation Court of Appeals, and Bureau of
1.5 Mediation Services; modifying miscellaneous policy provisions; requiring reports;
1.6 appropriating money; amending Minnesota Statutes 2022, sections 15.71, by adding
1.7 subdivisions; 15.72, by adding a subdivision; 116J.5492, subdivisions 8, 10;
1.8 116J.55, subdivisions 1, 5, 6; 116J.871, subdivision 2; 116J.8748, subdivisions 3,
1.9 4, 6, by adding a subdivision; 116L.361, subdivision 7; 116L.362, subdivision 1;
1.10 116L.364, subdivision 3; 116L.56, subdivision 2; 116L.561, subdivision 5;
1.11 116L.562, subdivision 2; 116U.05; 116U.10; 116U.15; 116U.20; 116U.30;
1.12 116U.35; 175.16, subdivision 1; 177.26, subdivisions 1, 2; 177.27, subdivisions
1.13 4, 7; 178.01; 178.011, subdivision 7; 178.03, subdivision 1; 178.11; 179.86,
1.14 subdivisions 1, 3, by adding subdivisions; 181.14, subdivision 1; 181.635,
1.15 subdivisions 1, 2, 3, 4, 6; 181.85, subdivisions 2, 4; 181.86, subdivision 1; 181.87,
1.16 subdivisions 2, 3, 7; 181.88; 181.89, subdivision 2, by adding a subdivision;
1.17 181.9435, subdivision 1; 181.9436; 182.654, subdivision 11; 182.666, subdivisions
1.18 1, 2, 3, 4, 5, by adding a subdivision; 326B.092, subdivision 6; 326B.096;
1.19 326B.103, subdivision 13, by adding subdivisions; 326B.106, subdivisions 1, 4,
1.20 by adding a subdivision; 326B.802, subdivision 15; 337.01, subdivision 3; 337.05,
1.21 subdivision 1; 341.21, subdivisions 2a, 2b, 2c, 4f, 7, by adding a subdivision;
1.22 341.221; 341.25; 341.27; 341.28, subdivisions 2, 3, by adding subdivisions; 341.30,
1.23 subdivision 4; 341.32, subdivision 2; 341.321; 341.33; 341.355; 469.40, subdivision
1.24 11; 469.47, subdivisions 1, 5, 6; Laws 2021, First Special Session chapter 10,
1.25 article 2, section 24; proposing coding for new law in Minnesota Statutes, chapters
1.26 116J; 116L; 116U; 179; 181; 182; 341; repealing Minnesota Statutes 2022, section
1.27 177.26, subdivision 3.

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

1.29 ARTICLE 1

1.30 JOBS AND ECONOMIC DEVELOPMENT APPROPRIATIONS

1.31 Section 1. APPROPRIATIONS.

1.32 (a) The sums shown in the columns marked "Appropriations" are appropriated to the
1.33 agencies and for the purposes specified in this article. The appropriations are from the

3.1 (b) \$500,000 each year is for grants to small
3.2 business development centers under Minnesota
3.3 Statutes, section 116J.68. Money made
3.4 available under this paragraph may be used to
3.5 match funds under the federal Small Business
3.6 Development Center (SBDC) program under
3.7 United States Code, title 15, section 648, to
3.8 provide consulting and technical services or
3.9 to build additional SBDC network capacity to
3.10 serve entrepreneurs and small businesses.

3.11 (c) \$5,500,000 each year is for Launch
3.12 Minnesota. Of this amount: (1) \$1,500,000
3.13 each year is for innovation grants to eligible
3.14 Minnesota entrepreneurs or start-up businesses
3.15 to assist with operating needs; (2) \$500,000
3.16 each year is for administration of Launch
3.17 Minnesota; (3) \$500,000 each year is for
3.18 grantee activities at Launch Minnesota; and
3.19 (4) \$3,000,000 each year is for a grant to
3.20 MNSBIR, Inc., to support moving scientific
3.21 excellence and technological innovation from
3.22 the lab to the market for start-ups and small
3.23 businesses by securing federal research and
3.24 development funding. These are onetime
3.25 appropriations.

3.26 (d) \$35,296,000 the first year is for the
3.27 Minnesota Expanding Opportunity Fund
3.28 Program under Minnesota Statutes, section
3.29 116J.8733. This is a onetime appropriation
3.30 and is available until June 30, 2025.

3.31 (e) \$150,000,000 the first year is for the
3.32 Minnesota forward fund under Minnesota
3.33 Statutes, section 116J.8752. Money awarded
3.34 under this program is made retroactive to
3.35 February 1, 2023, for applications and

4.1 projects. Of this amount, up to five percent is
4.2 for administration and monitoring of the
4.3 program. This is a onetime appropriation and
4.4 is available until June 30, 2027.

4.5 (f) \$100,000,000 the first year is for the
4.6 purpose of matching \$100,000,000 in existing
4.7 federal funds made available in the
4.8 Consolidated Appropriations Act, Public Law
4.9 117-328, for the purpose of constructing and
4.10 operating a bioindustrial manufacturing pilot
4.11 innovation facility, biorefinery, and
4.12 commercial campus utilizing agricultural
4.13 feedstocks. This is a onetime appropriation
4.14 and is available until June 30, 2027.

4.15 (g) \$250,000,000 the first year is for the
4.16 purpose of matching \$250,000,000 in existing
4.17 federal funds made available in the Chips and
4.18 Science Act, Public Law 117-167, for the
4.19 purpose of: (1) constructing, modernizing, or
4.20 expanding commercial facilities on the front-
4.21 and back-end fabrication of leading-edge,
4.22 current-generation, and mature-node
4.23 semiconductors; and (2) funding
4.24 semiconductor materials and manufacturing
4.25 equipment facilities, and for research and
4.26 development facilities. This is a onetime
4.27 appropriation and is available until June 30,
4.28 2027.

4.29 (h) \$8,925,000 each year is for the small
4.30 business assistance partnerships program
4.31 under Minnesota Statutes, section 116J.682.
4.32 All grant awards shall be for two consecutive
4.33 years. Grants shall be awarded in the first year.
4.34 The department may use up to five percent of
4.35 the appropriation for administrative purposes.

- 5.1 The base for this appropriation is \$1,425,000
5.2 in fiscal year 2026 and each year thereafter.
- 5.3 (i) \$2,500,000 each year is transferred from
5.4 the general fund to the community energy
5.5 transition account for grants under Minnesota
5.6 Statutes, section 116J.55. This is a onetime
5.7 transfer.
- 5.8 (j) \$350,000 each year is for administration
5.9 of the community energy transition office.
- 5.10 (k) \$1,772,000 each year is for contaminated
5.11 site cleanup and development grants under
5.12 Minnesota Statutes, sections 116J.551 to
5.13 116J.558. This appropriation is available until
5.14 June 30, 2027.
- 5.15 (l) \$700,000 each year is from the remediation
5.16 fund for contaminated site cleanup and
5.17 development grants under Minnesota Statutes,
5.18 sections 116J.551 to 116J.558. This
5.19 appropriation is available until June 30, 2027.
- 5.20 (m) \$239,000 each year is for the Center for
5.21 Rural Policy and Development. The base for
5.22 this appropriation is \$139,000 in fiscal year
5.23 2026 and each year thereafter.
- 5.24 (n) \$25,000 each year is for the administration
5.25 of state aid for the Destination Medical Center
5.26 under Minnesota Statutes, sections 469.40 to
5.27 469.47.
- 5.28 (o) \$875,000 each year is for the host
5.29 community economic development program
5.30 established in Minnesota Statutes, section
5.31 116J.548.
- 5.32 (p) \$6,500,000 each year is for grants to local
5.33 communities to increase the number of quality

6.1 child care providers to support economic
6.2 development. Fifty percent of grant money
6.3 must go to communities located outside the
6.4 seven-county metropolitan area as defined in
6.5 Minnesota Statutes, section 473.121,
6.6 subdivision 2. The base for this appropriation
6.7 is \$1,500,000 in fiscal year 2026 and each year
6.8 thereafter.

6.9 Grant recipients must obtain a 50 percent
6.10 nonstate match to grant money in either cash
6.11 or in-kind contribution, unless the
6.12 commissioner waives the requirement. Grant
6.13 money available under this subdivision must
6.14 be used to implement projects to reduce the
6.15 child care shortage in the state, including but
6.16 not limited to funding for child care business
6.17 start-ups or expansion, training, facility
6.18 modifications, direct subsidies or incentives
6.19 to retain employees, or improvements required
6.20 for licensing, and assistance with licensing
6.21 and other regulatory requirements. In awarding
6.22 grants, the commissioner must give priority
6.23 to communities that have demonstrated a
6.24 shortage of child care providers.

6.25 Within one year of receiving grant money,
6.26 grant recipients must report to the
6.27 commissioner on the outcomes of the grant
6.28 program, including but not limited to the
6.29 number of new providers, the number of
6.30 additional child care provider jobs created, the
6.31 number of additional child care openings, and
6.32 the amount of cash and in-kind local money
6.33 invested. Within one month of all grant
6.34 recipients reporting on program outcomes, the
6.35 commissioner must report the grant recipients'

7.1 outcomes to the chairs and ranking members
7.2 of the legislative committees with jurisdiction
7.3 over early learning and child care and
7.4 economic development.

7.5 (q) \$500,000 each year is for the Office of
7.6 Child Care Community Partnerships. Of this
7.7 amount:

7.8 (1) \$450,000 each year is for administration
7.9 of the Office of Child Care Community
7.10 Partnerships; and

7.11 (2) \$50,000 each year is for the Labor Market
7.12 Information Office to conduct research and
7.13 analysis related to the child care industry.

7.14 (r) \$6,000,000 the first year and \$1,000,000
7.15 the second year is for a grant to the Minnesota
7.16 Initiative Foundations. This appropriation is
7.17 available until June 30, 2027. The base for this
7.18 appropriation is \$1,000,000 in fiscal year 2026
7.19 and each year thereafter. The Minnesota
7.20 Initiative Foundations must use grant money
7.21 under this section to:

7.22 (1) facilitate planning processes for rural
7.23 communities resulting in a community solution
7.24 action plan that guides decision making to
7.25 sustain and increase the supply of quality child
7.26 care in the region to support economic
7.27 development;

7.28 (2) engage the private sector to invest local
7.29 resources to support the community solution
7.30 action plan and ensure quality child care is a
7.31 vital component of additional regional
7.32 economic development planning processes;

7.33 (3) provide locally based training and technical
7.34 assistance to rural business owners

8.1 individually or through a learning cohort.

8.2 Access to financial and business development

8.3 assistance must prepare child care businesses

8.4 for quality engagement and improvement by

8.5 stabilizing operations, leveraging funding from

8.6 other sources, and fostering business acumen

8.7 that allows child care businesses to plan for

8.8 and afford the cost of providing quality child

8.9 care; and

8.10 (4) recruit child care programs to participate

8.11 in quality rating and improvement

8.12 measurement programs. The Minnesota

8.13 Initiative Foundations must work with local

8.14 partners to provide low-cost training,

8.15 professional development opportunities, and

8.16 continuing education curricula. The Minnesota

8.17 Initiative Foundations must fund, through local

8.18 partners, an enhanced level of coaching to

8.19 rural child care providers to obtain a quality

8.20 rating through measurement programs.

8.21 (s) \$8,000,000 each year is for the Minnesota

8.22 job creation fund under Minnesota Statutes,

8.23 section 116J.8748. Of this amount, the

8.24 commissioner of employment and economic

8.25 development may use up to three percent for

8.26 administrative expenses. This appropriation

8.27 is available until June 30, 2027.

8.28 Notwithstanding Minnesota Statutes, section

8.29 116J.8748, money appropriated for the job

8.30 creation fund may be used for redevelopment

8.31 under Minnesota Statutes, sections 116J.575

8.32 and 116J.5761, at the discretion of the

8.33 commissioner.

8.34 (t) \$12,370,000 each year is for the Minnesota

8.35 investment fund under Minnesota Statutes,

9.1 section 116J.8731. Of this amount, the
9.2 commissioner of employment and economic
9.3 development may use up to three percent for
9.4 administration and monitoring of the program.
9.5 This appropriation is available until June 30,
9.6 2027. Notwithstanding Minnesota Statutes,
9.7 section 116J.8731, money appropriated to the
9.8 commissioner for the Minnesota investment
9.9 fund may be used for the redevelopment
9.10 program under Minnesota Statutes, sections
9.11 116J.575 and 116J.5761, at the discretion of
9.12 the commissioner. Grants under this paragraph
9.13 are not subject to the grant amount limitation
9.14 under Minnesota Statutes, section 116J.8731.

9.15 (u) \$4,246,000 each year is for the
9.16 redevelopment program under Minnesota
9.17 Statutes, sections 116J.575 and 116J.5761.
9.18 The base for this appropriation is \$2,246,000
9.19 in fiscal year 2026 and each year thereafter.
9.20 This appropriation is available until June 30,
9.21 2027.

9.22 (v) \$1,000,000 each year is for the Minnesota
9.23 emerging entrepreneur loan program under
9.24 Minnesota Statutes, section 116M.18. Money
9.25 available under this paragraph is for transfer
9.26 into the emerging entrepreneur program
9.27 special revenue fund account created under
9.28 Minnesota Statutes, chapter 116M, and are
9.29 available until expended. Of this amount, up
9.30 to four percent is for administration and
9.31 monitoring of the program.

9.32 (w) \$325,000 each year is for the Minnesota
9.33 Film and TV Board. The appropriation each
9.34 year is available only upon receipt by the
9.35 board of \$1 in matching contributions of

10.1 money or in-kind contributions from nonstate
10.2 sources for every \$3 provided by this
10.3 appropriation, except that each year up to
10.4 \$50,000 is available on July 1 even if the
10.5 required matching contribution has not been
10.6 received by that date.

10.7 (x) \$12,000 each year is for a grant to the
10.8 Upper Minnesota Film Office.

10.9 (y) \$500,000 each year is for a grant to the
10.10 Minnesota Film and TV Board for the film
10.11 production jobs program under Minnesota
10.12 Statutes, section 116U.26. This appropriation
10.13 is available until June 30, 2027.

10.14 (z) \$4,195,000 each year is for the Minnesota
10.15 job skills partnership program under
10.16 Minnesota Statutes, sections 116L.01 to
10.17 116L.17. If the appropriation for either year
10.18 is insufficient, the appropriation for the other
10.19 year is available. This appropriation is
10.20 available until June 30, 2027.

10.21 (aa) \$1,350,000 each year from the workforce
10.22 development fund is for jobs training grants
10.23 under Minnesota Statutes, section 116L.41.

10.24 (bb) \$30,000,000 each year is for the
10.25 PROMISE grant program. This is a onetime
10.26 appropriation and is available until June 30,
10.27 2027. Of this amount:

10.28 (1) \$6,500,000 each year is for grants to the
10.29 Minnesota Initiative Foundations to serve
10.30 businesses in greater Minnesota; and

10.31 (2) \$23,500,000 each year is for grants to the
10.32 Neighborhood Development Center. Of this
10.33 amount, the following amounts are designated
10.34 for the following areas:

- 11.1 (i) \$10,500,000 each year is for North
11.2 Minneapolis' West Broadway, Camden, or
11.3 other Northside neighborhoods;
- 11.4 (ii) \$6,500,000 each year is for South
11.5 Minneapolis' Lake Street, 38th and Chicago,
11.6 and Riverside corridors; and
- 11.7 (iii) \$6,500,000 each year is for St. Paul's
11.8 University Avenue, Midway, Eastside, or other
11.9 St. Paul neighborhoods.
- 11.10 (cc) \$20,000,000 each year is for the
11.11 PROMISE loan program. This is a onetime
11.12 appropriation and is available until June 30,
11.13 2027. Of this amount:
- 11.14 (1) \$4,000,000 each year is for grants to the
11.15 Minnesota Initiative Foundations to serve
11.16 businesses in greater Minnesota; and
- 11.17 (2) \$16,000,000 each year is for grants to the
11.18 Metropolitan Economic Development
11.19 Association (MEDA). Of this amount, the
11.20 following amounts are designated for the
11.21 following areas:
- 11.22 (i) \$8,000,000 each year is for North
11.23 Minneapolis' West Broadway, Camden, or
11.24 other Northside neighborhoods;
- 11.25 (ii) \$4,000,000 each year is for South
11.26 Minneapolis' Lake Street, 38th and Chicago,
11.27 and Riverside corridors; and
- 11.28 (iii) \$4,000,000 each year is for St. Paul's
11.29 University Avenue, Midway, Eastside, or other
11.30 St. Paul neighborhoods.
- 11.31 (dd) \$250,000 each year is for the publication,
11.32 dissemination, and use of labor market

- 12.1 information under Minnesota Statutes, section
12.2 116J.401.
- 12.3 (ee) \$500,000 each year is for the airport
12.4 infrastructure renewal grant program under
12.5 Minnesota Statutes, section 116J.439. In
12.6 awarding grants with this appropriation, the
12.7 commissioner must prioritize eligible
12.8 applicants that did not receive a grant pursuant
12.9 to the appropriation in Laws 2019, First
12.10 Special Session chapter 7, article 1, section 2,
12.11 subdivision 2, paragraph (q).
- 12.12 (ff) \$5,000,000 the first year is for a grant to
12.13 the Bloomington Port Authority to provide
12.14 funding for the Expo 2027 host organization.
12.15 The Bloomington Port Authority must enter
12.16 into an agreement with the host organization
12.17 over the use of money, which may be used for
12.18 activities, including but not limited to
12.19 finalizing the community dossier and staffing
12.20 the host organization and for infrastructure
12.21 design and planning, financial modeling,
12.22 development planning and coordination of
12.23 both real estate and public private partnerships,
12.24 and reimbursement of costs the Bloomington
12.25 Port Authority incurred. The host organization
12.26 and Bloomington Port Authority may be
12.27 reimbursed for expenses 90 days prior to
12.28 encumbrance. This appropriation is contingent
12.29 on approval of the project by the Bureau
12.30 International des Expositions. Any
12.31 unencumbered balance remaining at the end
12.32 of the first year does not cancel but is available
12.33 for the second year.
- 12.34 (gg) \$5,000,000 the first year is for grants to
12.35 the Neighborhood Development Center. This

- 13.1 is a onetime appropriation. Any unencumbered
 13.2 balance remaining at the end of the first year
 13.3 does not cancel but is available for the second
 13.4 year. Of the amount appropriated each year,
 13.5 \$4,200,000 is for small business programs
 13.6 including training, lending, business services,
 13.7 and real estate programming; and \$800,000 is
 13.8 for technical assistance activities for partners
 13.9 located outside the seven-county metropolitan
 13.10 area, as defined in Minnesota Statutes, section
 13.11 473.121, subdivision 2.
- 13.12 (hh) \$2,650,000 the first year is for transfer in
 13.13 the emerging developer fund account in the
 13.14 special revenue fund. Of this amount, up to
 13.15 five percent is for administration and
 13.16 monitoring of the emerging developer fund
 13.17 program under Minnesota Statutes, section
 13.18 116J.9926. This is a onetime appropriation.
- 13.19 (ii) \$5,000,000 the first year is for the
 13.20 Canadian border counties economic relief
 13.21 program under article 5. Of this amount, up
 13.22 to \$2,100,000 is for a grant to the Lake of the
 13.23 Woods County for the forgivable loan program
 13.24 for remote recreational businesses. This is a
 13.25 onetime appropriation and is available until
 13.26 June 30, 2026.
- 13.27 (jj) \$1,250,000 the first year and \$250,000 the
 13.28 second year are for a grant to African
 13.29 Economic Development Solutions. This is a
 13.30 onetime appropriation and is available until
 13.31 June 30, 2026. Of this amount:
- 13.32 (1) \$1,000,000 is for a loan fund that must
 13.33 address pervasive economic inequities by
 13.34 supporting business ventures of entrepreneurs
 13.35 in the African immigrant community; and

- 14.1 (2) \$250,000 each year is for workforce
14.2 development and technical assistance,
14.3 including but not limited to business
14.4 development, entrepreneur training, business
14.5 technical assistance, loan packing, and
14.6 community development services.
- 14.7 (kk) \$500,000 each year is for a grant to the
14.8 Latino Economic Development Center. This
14.9 is a onetime appropriation. Grant proceeds
14.10 may be used to:
- 14.11 (1) assist, support, finance, and launch
14.12 micro-entrepreneurs by delivering training,
14.13 workshops, and one-on-one consultations to
14.14 businesses;
- 14.15 (2) offer workshops on a variety of topics
14.16 throughout the year, including finance,
14.17 customer service, food-handler training, and
14.18 food-safety certification; and
- 14.19 (3) provide lending to business start-ups.
- 14.20 (ll) \$627,000 the first year is for a grant to
14.21 Community and Economic Development
14.22 Associates (CEDA) to provide funding for
14.23 economic development technical assistance
14.24 and economic development project grants to
14.25 small communities across rural Minnesota and
14.26 for CEDA to design, implement, market, and
14.27 administer specific types of basic community
14.28 and economic development programs tailored
14.29 to individual community needs. Technical
14.30 assistance grants shall be based on need and
14.31 given to communities that are otherwise
14.32 unable to afford these services. Of the amount
14.33 appropriated, up to \$270,000 may be used for
14.34 economic development project implementation

15.1 in conjunction with the technical assistance
15.2 received. This is a onetime appropriation. Any
15.3 unencumbered balance remaining at the end
15.4 of the first year does not cancel but is available
15.5 the second year.

15.6 (mm) \$1,500,000 each year is for a grant to
15.7 WomenVenture to support business expansion
15.8 for women food entrepreneurs throughout
15.9 Minnesota's food supply chain to help stabilize
15.10 and strengthen their business operations, create
15.11 distribution networks, offer technical
15.12 assistance and support to beginning women
15.13 food entrepreneurs, develop business plans,
15.14 develop a workforce, research expansion
15.15 strategies, and for other related activities.

15.16 Eligible uses of the money include but are not
15.17 limited to:

15.18 (1) leasehold improvements;
15.19 (2) additions, alterations, remodeling, or
15.20 renovations to rented space;
15.21 (3) inventory or supplies;
15.22 (4) machinery or equipment purchases;
15.23 (5) working capital; and
15.24 (6) debt refinancing.

15.25 Money distributed to entrepreneurs may be
15.26 loans, forgivable loans, and grants. Of this
15.27 amount, up to five percent may be used for
15.28 the WomenVenture's technical assistance and
15.29 administrative costs. This is a onetime
15.30 appropriation and is available until June 30,
15.31 2026. By December 15, 2026, WomenVenture
15.32 must submit a report to the chairs and ranking
15.33 members of the legislative committees with

16.1 jurisdiction over agriculture and employment
16.2 and economic development. The report must
16.3 include a summary of the uses of the
16.4 appropriation, including the amount of the
16.5 appropriation used for administration. The
16.6 report must also provide a breakdown of the
16.7 amount of funding used for loans, forgivable
16.8 loans, and grants; information about the terms
16.9 of the loans issued; a discussion of how money
16.10 from repaid loans will be used; the number of
16.11 entrepreneurs assisted; and a breakdown of
16.12 how many entrepreneurs received assistance
16.13 in each county.

16.14 (nn) \$6,000,000 the first year is for grants to
16.15 initiative foundations to capitalize their
16.16 revolving loan funds, which address unmet
16.17 financing needs of for-profit business startups,
16.18 expansions, and ownership transitions;
16.19 nonprofit organizations; and developers of
16.20 housing to support the construction,
16.21 rehabilitation, and conversion of housing units.

16.22 Of the amount appropriated, \$1,000,000 is for
16.23 a grant to the Southwest Initiative Foundation;
16.24 \$1,000,000 is for a grant to the West Central
16.25 Initiative Foundation; \$1,000,000 is for a grant
16.26 to the Southern Minnesota Initiative
16.27 Foundation; \$1,000,000 is for a grant to the
16.28 Northwest Minnesota Foundation; \$1,000,000
16.29 is for a grant to the Initiative Foundation; and
16.30 \$1,000,000 is for a grant to the Northland
16.31 Foundation. This is a onetime appropriation.

16.32 (oo) \$1,000,000 the first year is for a grant to
16.33 Enterprise Minnesota, Inc., to reach and
16.34 deliver talent, leadership, employee retention,
16.35 continuous improvement, strategy, quality

17.1 management systems, revenue growth, and
17.2 manufacturing peer-to-peer advisory services
17.3 to small manufacturing companies employing
17.4 35 or fewer full-time equivalent employees.
17.5 No later than February 1, 2025, and February
17.6 1, 2026, Enterprise Minnesota, Inc., must
17.7 provide a report to the chairs and ranking
17.8 minority members of the legislative
17.9 committees with jurisdiction over economic
17.10 development that includes:
17.11 (1) the grants awarded during the past 12
17.12 months;
17.13 (2) the estimated financial impact of the grants
17.14 awarded to each company receiving services
17.15 under the program;
17.16 (3) the actual financial impact of grants
17.17 awarded during the past 24 months; and
17.18 (4) the total amount of federal funds leveraged
17.19 from the Manufacturing Extension Partnership
17.20 at the United States Department of Commerce.
17.21 (pp) \$375,000 each year is for a grant to
17.22 PFund Foundation to provide grants to
17.23 LGBTQ+-owned small businesses and
17.24 entrepreneurs. Money distributed to
17.25 entrepreneurs and small businesses must be
17.26 in the form of grants. Of this amount, up to
17.27 five percent may be used for PFund
17.28 Foundation's technical assistance and
17.29 administrative costs. This is a onetime
17.30 appropriation and is available until June 30,
17.31 2026. To the extent practicable, money must
17.32 be distributed by PFund Foundation as
17.33 follows:

- 18.1 (1) 33.3 percent to businesses owned by
18.2 members of racial minority communities; and
- 18.3 (2) 33.3 percent to businesses outside of the
18.4 seven-county metropolitan area as defined in
18.5 Minnesota Statutes, section 473.121,
18.6 subdivision 2.
- 18.7 (qq) \$125,000 each year is for a grant to
18.8 Quorum to provide business support, training,
18.9 development, technical assistance, and related
18.10 activities for LGBTQ+-owned small
18.11 businesses that are recipients of a PFund
18.12 Foundation grant. Of this amount, up to five
18.13 percent may be used for Quorum's technical
18.14 assistance and administrative costs. This is a
18.15 onetime appropriation and is available until
18.16 June 30, 2026.
- 18.17 (rr) \$5,000,000 the first year is for a grant to
18.18 the Metropolitan Economic Development
18.19 Association (MEDA) for statewide business
18.20 development and assistance services to
18.21 minority-owned businesses. This is a onetime
18.22 appropriation. Any unencumbered balance
18.23 remaining at the end of the first year does not
18.24 cancel but is available the second year. Of this
18.25 amount:
- 18.26 (1) \$3,000,000 is for a revolving loan fund to
18.27 provide additional minority-owned businesses
18.28 with access to capital; and
- 18.29 (2) \$2,000,000 is for operating support
18.30 activities related to business development and
18.31 assistance services for minority business
18.32 enterprises.
- 18.33 By February 1, 2025, MEDA shall report to
18.34 the commissioner and the chairs and ranking

19.1 minority members of the legislative
 19.2 committees with jurisdiction over economic
 19.3 development policy and finance on the loans
 19.4 and operating support activities, including
 19.5 outcomes and expenditures, supported by the
 19.6 appropriation under this paragraph.

19.7 (ss) \$2,500,000 each year is for a grant to a
 19.8 Minnesota-based automotive component
 19.9 manufacturer and distributor specializing in
 19.10 electric vehicles and sensor technology that
 19.11 manufactures all of their parts onshore to
 19.12 expand their manufacturing. The grant
 19.13 recipient under this paragraph shall submit
 19.14 reports on the uses of the money appropriated,
 19.15 the number of jobs created due to the
 19.16 appropriation, wage information, and the city
 19.17 and state in which the additional
 19.18 manufacturing activity was located to the
 19.19 chairs and ranking minority members of the
 19.20 legislative committees with jurisdiction over
 19.21 economic development. An initial report shall
 19.22 be submitted by December 15, 2023, and a
 19.23 final report is due by December 15, 2025. This
 19.24 is a onetime appropriation.

19.25 (tt) \$1,846,500 the first year is for a grant to
 19.26 the Minneapolis Downtown Council for
 19.27 infrastructure and associated costs for the
 19.28 Taste of Minnesota event, including but not
 19.29 limited to buildout, permits, garbage services,
 19.30 staffing, security, equipment rentals, signage,
 19.31 and insurance. This is a onetime appropriation.

19.32	<u>Subd. 3. Employment and Training Programs</u>	<u>120,465,000</u>	<u>111,927,000</u>
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19.33	<u>Appropriations by Fund</u>
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19.34	<u>2024</u>	<u>2025</u>
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20.1	<u>General</u>	<u>105,370,000</u>	<u>96,832,000</u>
20.2	<u>Workforce</u>		
20.3	<u>Development</u>	<u>15,095,000</u>	<u>15,095,000</u>
20.4	<u>(a) \$500,000 each year is for rural career</u>		
20.5	<u>counseling coordinators in the workforce</u>		
20.6	<u>service areas and for the purposes specified</u>		
20.7	<u>under Minnesota Statutes, section 116L.667.</u>		
20.8	<u>(b) \$5,000,000 each year is for competitive</u>		
20.9	<u>grants to organizations providing services to</u>		
20.10	<u>Minnesota's older workers. Grant awards must</u>		
20.11	<u>be used to support older individuals to re-enter</u>		
20.12	<u>the labor force through workforce recruitment</u>		
20.13	<u>and development, outreach, paid essential</u>		
20.14	<u>training and upskilling, on-the-job training</u>		
20.15	<u>through community service assignments, and</u>		
20.16	<u>assistance for smaller organizations to increase</u>		
20.17	<u>capacity. Of this amount, up to five percent is</u>		
20.18	<u>for administration and monitoring of the</u>		
20.19	<u>program. This is a onetime appropriation.</u>		
20.20	<u>(c) \$24,904,000 the first year and \$24,904,000</u>		
20.21	<u>the second year are for the targeted population</u>		
20.22	<u>workforce grants under Minnesota Statutes,</u>		
20.23	<u>section 116L.43. The department may use up</u>		
20.24	<u>to five percent of this appropriation for</u>		
20.25	<u>administration, monitoring, and oversight of</u>		
20.26	<u>the program. Of this amount:</u>		
20.27	<u>(1) \$17,500,000 each year is for job and</u>		
20.28	<u>entrepreneurial skills training grants under</u>		
20.29	<u>Minnesota Statutes, section 116L.43,</u>		
20.30	<u>subdivision 2;</u>		
20.31	<u>(2) \$1,700,000 each year is for diversity and</u>		
20.32	<u>inclusion training for small and midsize</u>		
20.33	<u>employers under Minnesota Statutes, section</u>		
20.34	<u>116L.43, subdivision 3; and</u>		

- 21.1 (3) \$5,704,000 each year is for capacity
21.2 building grants under Minnesota Statutes,
21.3 section 116L.43, subdivision 4.
- 21.4 The base for this appropriation is \$1,184,000
21.5 in fiscal year 2026 and each year thereafter.
- 21.6 (d) \$750,000 each year is for the women and
21.7 high-wage, high-demand, nontraditional jobs
21.8 grant program under Minnesota Statutes,
21.9 section 116L.99. Of this amount, up to five
21.10 percent is for administration and monitoring
21.11 of the program.
- 21.12 (e) \$15,000,000 each year is for the Drive for
21.13 Five Initiative to conduct outreach and provide
21.14 job skills training, career counseling, case
21.15 management, and supportive services for
21.16 careers in (1) technology, (2) labor, (3) the
21.17 caring professions, (4) manufacturing, and (5)
21.18 educational and professional services. This is
21.19 a onetime appropriation.
- 21.20 (f) Of the amounts appropriated in paragraph
21.21 (e), the commissioner must make \$10,000,000
21.22 each year available through a competitive
21.23 request for proposal process. The grant awards
21.24 must be used to provide education and training
21.25 in the five industries identified in paragraph
21.26 (e). Education and training may include:
- 21.27 (1) student tutoring and testing support
21.28 services;
- 21.29 (2) training and employment placement in high
21.30 wage and high growth employment;
- 21.31 (3) assistance in obtaining industry-specific
21.32 certifications;
- 21.33 (4) remedial training leading to enrollment;

- 22.1 (5) real-time work experience in information;
- 22.2 (6) career and educational counseling;
- 22.3 (7) work experience and internships; and
- 22.4 (8) supportive services.
- 22.5 (g) Of the amount appropriated in paragraph
- 22.6 (e), \$3,250,000 each year must be awarded
- 22.7 through competitive grants made to trade
- 22.8 associations or chambers of commerce for job
- 22.9 placement services. Grant awards must be used
- 22.10 to encourage workforce training efforts to
- 22.11 ensure that efforts are aligned with employer
- 22.12 demands and that graduates are connected with
- 22.13 employers that are currently hiring. Trade
- 22.14 associations or chambers must partner with
- 22.15 employers with current or anticipated
- 22.16 employment opportunities and nonprofit
- 22.17 workforce training partners participating in
- 22.18 this program. The trade associations or
- 22.19 chambers must work closely with the industry
- 22.20 sector training providers in the five industries
- 22.21 identified in paragraph (e). Grant awards may
- 22.22 be used for:
- 22.23 (1) employer engagement strategies to align
- 22.24 employment opportunities for individuals
- 22.25 exiting workforce development training
- 22.26 programs. These strategies may include
- 22.27 business recruitment, job opening
- 22.28 development, employee recruitment, and job
- 22.29 matching. Trade associations must utilize the
- 22.30 state's labor exchange system;
- 22.31 (2) diversity, inclusion, and retention training
- 22.32 of their members to increase the business'
- 22.33 understanding of welcoming and retaining a
- 22.34 diverse workforce; and

23.1 (3) industry-specific training.

23.2 (h) Of the amount appropriated in paragraph
23.3 (e), \$1,750,000 each year is to hire, train, and
23.4 deploy business services representatives in
23.5 local workforce development areas throughout
23.6 the state. Business services representatives
23.7 must work with an assigned local workforce
23.8 development area to address the hiring needs
23.9 of Minnesota's businesses by connecting job
23.10 seekers and program participants in the
23.11 CareerForce system. Business services
23.12 representatives serve in the classified service
23.13 of the state and operate as part of the agency's
23.14 Employment and Training Office. The
23.15 commissioner shall develop and implement
23.16 training materials and reporting and evaluation
23.17 procedures for the activities of the business
23.18 services representatives. The business services
23.19 representative must:

23.20 (1) serve as the primary contact for businesses
23.21 in that area;

23.22 (2) actively engage employers by assisting
23.23 with matching employers to job seekers by
23.24 referring candidates, convening job fairs, and
23.25 assisting with job announcements; and

23.26 (3) work with the local area board and its
23.27 partners to identify candidates for openings in
23.28 small and midsize companies in the local area.

23.29 (i) \$2,546,000 each year from the general fund
23.30 and \$4,604,000 each year from the workforce
23.31 development fund are for the pathways to
23.32 prosperity competitive grant program. Of this
23.33 amount, up to five percent is for administration
23.34 and monitoring of the program.

- 24.1 (j) \$500,000 each year is from the workforce
24.2 development fund for current Minnesota
24.3 affiliates of OIC of America, Inc. This
24.4 appropriation shall be divided equally among
24.5 the eligible centers.
- 24.6 (k) \$1,000,000 each year is for competitive
24.7 grants to organizations providing services to
24.8 relieve economic disparities in the Southeast
24.9 Asian community through workforce
24.10 recruitment, development, job creation,
24.11 assistance of smaller organizations to increase
24.12 capacity, and outreach. Of this amount, up to
24.13 five percent is for administration and
24.14 monitoring of the program.
- 24.15 (l) \$1,000,000 each year is for a competitive
24.16 grant program to provide grants to
24.17 organizations that provide support services for
24.18 individuals, such as job training, employment
24.19 preparation, internships, job assistance to
24.20 parents, financial literacy, academic and
24.21 behavioral interventions for low-performing
24.22 students, and youth intervention. Grants made
24.23 under this section must focus on low-income
24.24 communities, young adults from families with
24.25 a history of intergenerational poverty, and
24.26 communities of color. Of this amount, up to
24.27 five percent is for administration and
24.28 monitoring of the program.
- 24.29 (m) \$5,230,000 each year from the general
24.30 fund and \$3,348,000 each year from the
24.31 workforce development fund are for the
24.32 youth-at-work competitive grant program
24.33 under Minnesota Statutes, section 116L.562.
24.34 Of this amount, up to five percent is for
24.35 administration and monitoring of the youth

25.1 workforce development competitive grant
25.2 program. All grant awards shall be for two
25.3 consecutive years. Grants shall be awarded in
25.4 the first year. The base for this appropriation
25.5 is \$750,000 from the general fund and
25.6 \$3,348,000 from the workforce development
25.7 fund beginning in fiscal year 2026 and each
25.8 year thereafter.

25.9 (n) \$2,093,000 each year is from the
25.10 workforce development fund for the
25.11 Minnesota Youthbuild program under
25.12 Minnesota Statutes, sections 116L.361 to
25.13 116L.366. The base for this appropriation is
25.14 \$1,000,000 from the workforce development
25.15 fund in fiscal year 2026 and each year
25.16 thereafter.

25.17 (o) \$4,511,000 each year from the general fund
25.18 and \$4,050,000 each year from the workforce
25.19 development fund are for the Minnesota youth
25.20 program under Minnesota Statutes, sections
25.21 116L.56 and 116L.561. The base for this
25.22 appropriation is \$0 from the general fund and
25.23 \$4,050,000 from the workforce development
25.24 fund in fiscal year 2026 and each year
25.25 thereafter.

25.26 (p) \$750,000 each year is for the Office of
25.27 New Americans under Minnesota Statutes,
25.28 section 116J.4231.

25.29 (q) \$1,000,000 each year is for a grant to the
25.30 Minnesota Technology Association to support
25.31 the SciTech internship program, a program
25.32 that supports science, technology, engineering,
25.33 and math (STEM) internship opportunities for
25.34 two- and four-year college students and
25.35 graduate students in their fields of study. The

26.1 internship opportunities must match students
26.2 with paid internships within STEM disciplines
26.3 at small, for-profit companies located in
26.4 Minnesota having fewer than 250 employees
26.5 worldwide. At least 325 students must be
26.6 matched each year. No more than 15 percent
26.7 of the hires may be graduate students. Selected
26.8 hiring companies shall receive from the grant
26.9 50 percent of the wages paid to the intern,
26.10 capped at \$3,000 per intern. The program must
26.11 work toward increasing the participation
26.12 among women or other underserved
26.13 populations. This is a onetime appropriation.

26.14 (r) \$750,000 each year is for grants to the
26.15 Minneapolis Park and Recreation Board's Teen
26.16 Teamworks youth employment and training
26.17 programs. This is a onetime appropriation and
26.18 available until June 30, 2027. Any
26.19 unencumbered balance remaining at the end
26.20 of the first year does not cancel but is available
26.21 in the second year.

26.22 (s) \$900,000 each year is for a grant to Avivo
26.23 to provide low-income individuals with career
26.24 education and job skills training that is fully
26.25 integrated with chemical and mental health
26.26 services. Of this amount, up to \$250,000 each
26.27 year is for a grant to Avivo to provide
26.28 resources and support services to survivors of
26.29 sex trafficking and domestic abuse in the
26.30 greater St. Cloud area as they search for
26.31 employment. Program resources include but
26.32 are not limited to costs for day care,
26.33 transportation, housing, legal advice, procuring
26.34 documents required for employment, interview
26.35 clothing, technology, and Internet access. The

27.1 program shall also include public outreach and
27.2 corporate training components to communicate
27.3 to the public and potential employers about
27.4 the specific struggles faced by survivors as
27.5 they re-enter the workforce. This is a onetime
27.6 appropriation.

27.7 (t) \$1,000,000 each year is for the getting to
27.8 work grant program under Minnesota Statutes,
27.9 section 116J.545. Of this amount, up to five
27.10 percent is for administration and monitoring
27.11 of the program. This is a onetime
27.12 appropriation.

27.13 (u) \$375,000 each year is for a grant to the
27.14 nonprofit 30,000 Feet to fund youth
27.15 apprenticeship jobs, wraparound services,
27.16 after-school programming, and summer
27.17 learning loss prevention efforts targeted at
27.18 African American youth. This is a onetime
27.19 appropriation.

27.20 (v) \$463,000 the first year is for a grant to the
27.21 Boys and Girls Club of Central Minnesota.
27.22 This is a onetime appropriation. Of this
27.23 amount:

27.24 (1) \$313,000 is to fund one year of free
27.25 full-service programming for a new program
27.26 in Waite Park that will employ part-time youth
27.27 development staff and provide community
27.28 volunteer opportunities for people of all ages.
27.29 Career exploration and life skills programming
27.30 will be a significant dimension of
27.31 programming at this new site; and

27.32 (2) \$150,000 is for planning and design for a
27.33 new multiuse facility for the Boys and Girls
27.34 Club of Waite Park and other community

28.1 partners, including the Waite Park Police
28.2 Department and the Whitney Senior Center.

28.3 (w) \$1,000,000 each year is for a grant to the
28.4 Minnesota Alliance of Boys and Girls Clubs
28.5 to administer a statewide project of youth job
28.6 skills and career development. This project,
28.7 which may have career guidance components
28.8 including health and life skills, must be
28.9 designed to encourage, train, and assist youth
28.10 in early access to education and job-seeking
28.11 skills, work-based learning experience,
28.12 including career pathways in STEM learning,
28.13 career exploration and matching, and first job
28.14 placement through local community
28.15 partnerships and on-site job opportunities. This
28.16 grant requires a 25 percent match from
28.17 nonstate resources. This is a onetime
28.18 appropriation.

28.19 (x) \$1,050,000 the first year is for a grant to
28.20 the Owatonna Area Chamber of Commerce
28.21 Foundation for the Learn and Earn Initiative
28.22 to help the Owatonna and Steele County
28.23 region grow and retain a talented workforce.
28.24 This is a onetime appropriation and is
28.25 available until June 30, 2025. Of this amount:

28.26 (1) \$950,000 is to develop an advanced
28.27 manufacturing career pathway program for
28.28 youth and adult learners with shared learning
28.29 spaces, state-of-the-art equipment, and
28.30 instructional support to grow and retain talent
28.31 in Owatonna; and

28.32 (2) \$100,000 is to create the Owatonna
28.33 Opportunity scholarship model for the Learn
28.34 and Earn Initiative for students and employers.

29.1 (y) \$250,000 each year is for a grant to the
29.2 White Bear Center for the Arts for establishing
29.3 a paid internship program for high school
29.4 students to learn professional development
29.5 skills through an arts perspective. This is a
29.6 onetime appropriation.

29.7 (z) \$946,000 each year is for the Minnesota
29.8 Family Resiliency Partnership under
29.9 Minnesota Statutes, section 116L.96. The
29.10 commissioner, through the adult career
29.11 pathways program, shall distribute the money
29.12 to existing nonprofit and state displaced
29.13 homemaker programs. The base for this
29.14 appropriation is \$446,000 in fiscal year 2026
29.15 and each year thereafter.

29.16 (aa) \$1,500,000 each year is for a grant to the
29.17 Center for Economic Inclusion for strategic,
29.18 data-informed investments in job creation
29.19 strategies that respond to the needs of
29.20 underserved populations statewide. This may
29.21 include pay-for-performance contracts with
29.22 nonprofit organizations to provide outreach,
29.23 training, and support services for dislocated
29.24 and chronically underemployed people, and
29.25 forgivable loans, revenue-based financing, and
29.26 equity investments for entrepreneurs with
29.27 barriers to growth. Of this amount, up to five
29.28 percent may be used for the center's technical
29.29 assistance and administrative costs. This is a
29.30 onetime appropriation.

29.31 (bb) \$600,000 each year is for a grant to East
29.32 Side Neighborhood Services. This is a onetime
29.33 appropriation. Of this amount:

29.34 (1) \$300,000 each year is for the senior
29.35 community service employment program,

30.1 which provides work readiness training to
30.2 low-income adults 55 and older, to provide
30.3 ongoing support and mentoring needs to the
30.4 program participants and to support the
30.5 transition period from subsidized wages to
30.6 unsubsidized wages; and

30.7 (2) \$300,000 each year is for the nursing
30.8 assistant plus program to serve the increased
30.9 need for growth of medical talent pipelines
30.10 through expansion of the existing program and
30.11 development of in-house training.

30.12 These amounts may also be used to enhance
30.13 the organization's youth employment
30.14 programming for youth and young adults, ages
30.15 14 to 24, to introduce them to work culture,
30.16 develop essential work readiness skills, and
30.17 make career plans through paid internship
30.18 experiences and work readiness training.

30.19 (cc) \$1,500,000 each year is for a grant to
30.20 Ujamaa Place to assist primarily African
30.21 American men with job training, employment
30.22 preparation, internships, education, vocational
30.23 housing, and organizational capacity building.
30.24 This is a onetime appropriation.

30.25 (dd) \$500,000 each year is for a grant to
30.26 Comunidades Organizando el Poder y la
30.27 Acción Latina (COPAL) for worker center
30.28 programming that supports primarily
30.29 low-income, migrant, and Latinx workers with
30.30 career planning, workforce training and
30.31 education, workers' rights advocacy, health
30.32 resources and navigation, and wealth creation
30.33 resources. This is a onetime appropriation.

31.1 (ee) \$3,000,000 each year is for a grant to
31.2 Propel Nonprofits to provide capacity-building
31.3 grants and related technical assistance to small,
31.4 culturally specific organizations that primarily
31.5 serve historically underserved cultural
31.6 communities. Propel Nonprofits may only
31.7 award grants to nonprofit organizations that
31.8 have an annual organizational budget of less
31.9 than \$1,000,000. These grants may be used
31.10 for:

31.11 (1) organizational infrastructure
31.12 improvements, including developing database
31.13 management systems and financial systems,
31.14 or other administrative needs that increase the
31.15 organization's ability to access new funding
31.16 sources;

31.17 (2) organizational workforce development,
31.18 including hiring culturally competent staff,
31.19 training and skills development, and other
31.20 methods of increasing staff capacity; or

31.21 (3) creating or expanding partnerships with
31.22 existing organizations that have specialized
31.23 expertise in order to increase capacity of the
31.24 grantee organization to improve services to
31.25 the community.

31.26 Of this amount, up to five percent may be used
31.27 by Propel Nonprofits for administrative costs.
31.28 This is a onetime appropriation.

31.29 (ff) \$1,000,000 each year is for a grant to
31.30 Goodwill Easter Seals Minnesota and its
31.31 partners. The grant must be used to continue
31.32 the FATHER Project in Rochester, St. Cloud,
31.33 St. Paul, Minneapolis, and the surrounding
31.34 areas to assist fathers in overcoming barriers

32.1 that prevent fathers from supporting their
32.2 children economically and emotionally,
32.3 including with community re-entry following
32.4 confinement. This is a onetime appropriation.

32.5 (gg) \$250,000 the first year is for a grant to
32.6 the ProStart and Hospitality Tourism
32.7 Management Program for a well-established,
32.8 proven, and successful education program that
32.9 helps young people advance careers in the
32.10 hospitality industry and addresses critical
32.11 long-term workforce shortages in that industry.

32.12 (hh) \$1,400,000 the first year and \$450,000
32.13 the second year are for grants to Minnesota
32.14 Diversified Industries to provide inclusive
32.15 employment opportunities and services for
32.16 people with disabilities. This is a onetime
32.17 appropriation.

32.18 (ii) \$1,000,000 the first year is for a grant to
32.19 Minnesota Diversified Industries to assist
32.20 individuals with disabilities through the
32.21 unified work model by offering virtual and
32.22 in-person career skills classes augmented with
32.23 virtual reality tools. Minnesota Diversified
32.24 Industries shall submit a report on the number
32.25 and demographics of individuals served, hours
32.26 of career skills programming delivered,
32.27 outreach to employers, and recommendations
32.28 for future career skills delivery methods to the
32.29 chairs and ranking minority members of the
32.30 legislative committees with jurisdiction over
32.31 labor and workforce development policy and
32.32 finance by January 15, 2026. This is a onetime
32.33 appropriation and is available until June 30,
32.34 2025.

- 33.1 (jj) \$1,175,000 each year is for a grant to
33.2 Summit Academy OIC to expand employment
33.3 placement, GED preparation and
33.4 administration, and STEM programming in
33.5 the Twin Cities, Saint Cloud, and Bemidji.
33.6 This is a onetime appropriation.
- 33.7 (kk) \$500,000 each year is a grant to
33.8 Minnesota Independence Community College
33.9 to provide employment preparation, job
33.10 placement, job retention, and service
33.11 coordination services to adults with autism
33.12 and learning differences. This is a onetime
33.13 appropriation.
- 33.14 (ll) \$350,000 the first year and \$25,000 the
33.15 second year are for a grant to the University
33.16 of Minnesota Tourism Center for the creation
33.17 and operation of an online hospitality training
33.18 program in partnership with Explore
33.19 Minnesota Tourism. This training program
33.20 must be made available at no cost to
33.21 Minnesota residents in an effort to address
33.22 critical workforce shortages in the hospitality
33.23 and tourism industries and assist in career
33.24 development. The base for this appropriation
33.25 is \$25,000 in fiscal year 2026 and each year
33.26 thereafter for ongoing system maintenance,
33.27 management, and content updates.
- 33.28 (mm) \$3,000,000 the first year is for
33.29 competitive grants to support competitive
33.30 robotics teams and prepare youth for careers
33.31 in STEM fields. Of this amount, \$2,000,000
33.32 is for creating internships for high school
33.33 students to work at private companies in
33.34 STEM fields, including the payment of student
33.35 stipends.

34.1 (nn) \$1,500,000 the first year is for a grant to
34.2 the nonprofit Sanneh Foundation to fund
34.3 out-of-school summer programs focused on
34.4 mentoring and behavioral, social, and
34.5 emotional learning interventions and
34.6 enrichment activities directed toward
34.7 low-income students of color. This is a
34.8 onetime appropriation and available until June
34.9 30, 2026.

34.10 (oo) \$1,000,000 each year is for a grant to the
34.11 Hmong American Partnership to expand job
34.12 training and placement programs primarily
34.13 -serving the Southeast Asian community. This
34.14 is a onetime appropriation.

34.15 (pp) \$1,000,000 each year is for a grant to
34.16 Comunidades Latinas Unidas En Servicio
34.17 (CLUES) to address employment, economic,
34.18 and technology access disparities for
34.19 low-income unemployed or underemployed
34.20 individuals. Grant money must support
34.21 short-term certifications and transferable skills
34.22 in high-demand fields, workforce readiness,
34.23 customized financial capability, and
34.24 employment supports. At least 50 percent of
34.25 this amount must be used for programming
34.26 targeted at greater Minnesota. This is a
34.27 onetime appropriation.

34.28 (qq) \$300,000 each year is for a grant to All
34.29 Square. The grant must be used to support the
34.30 operations of All Square's Fellowship and
34.31 Prison to Law Pipeline programs which
34.32 operate in Minneapolis, St. Paul, and
34.33 surrounding correctional facilities to assist
34.34 incarcerated and formerly incarcerated
34.35 Minnesotans in overcoming employment

35.1 barriers that prevent economic and emotional
35.2 freedom. This is a onetime appropriation.

35.3 (rr) \$1,000,000 each year is for a grant to the
35.4 Redemption Project to provide employment
35.5 services to adults leaving incarceration,
35.6 including recruiting, educating, training, and
35.7 retaining employment mentors and partners.
35.8 This is a onetime appropriation.

35.9 (ss) \$3,000,000 each year is for a grant to
35.10 Community Action Partnership of Hennepin
35.11 County. This is a onetime appropriation. Of
35.12 this amount:

35.13 (1) \$1,500,000 each year is for grants to 21
35.14 Days of Peace for social equity building and
35.15 community engagement activities; and

35.16 (2) \$1,500,000 each year is for grants to A
35.17 Mother's Love for community outreach,
35.18 empowerment training, and employment and
35.19 career exploration services.

35.20 (tt) \$750,000 each year is for a grant to Mind
35.21 the G.A.P.P. (Gaining Assistance to Prosperity
35.22 Program) to improve the quality of life of
35.23 unemployed and underemployed individuals
35.24 by improving their employment outcomes and
35.25 developing individual earnings potential. This
35.26 is a onetime appropriation. Any unencumbered
35.27 balance remaining at the end of the first year
35.28 does not cancel but is available in the second
35.29 year.

35.30 (uu) \$550,000 each year is for a grant to the
35.31 International Institute of Minnesota. Grant
35.32 money must be used for workforce training
35.33 for New Americans in industries in need of a

36.1 trained workforce. This is a onetime
36.2 appropriation.

36.3 (vv) \$400,000 each year is to Hired to expand
36.4 their career pathway job training and
36.5 placement program that connects lower-skilled
36.6 job seekers to entry-level and gateway jobs in
36.7 high-growth sectors. This is a onetime
36.8 appropriation.

36.9 (ww) \$500,000 each year is for a grant to the
36.10 American Indian Opportunities and
36.11 Industrialization Center for workforce
36.12 development programming, including reducing
36.13 academic disparities for American Indian
36.14 students and adults. This is a onetime
36.15 appropriation.

36.16 (xx) \$275,000 each year is to Southeast
36.17 Minnesota Workforce Development Area
36.18 #8/Workforce Development, Inc. to provide
36.19 career planning, career pathway training and
36.20 education, wraparound support services, and
36.21 job skills advancement in high-demand careers
36.22 to individuals with barriers to employment in
36.23 Steele County, helping families build secure
36.24 pathways out of poverty while also addressing
36.25 worker shortages in the Owatonna and Steele
36.26 County area. Funding must also support
36.27 Employer Outreach Services to include
36.28 providing solutions to workforce challenges
36.29 and direct connections to workforce
36.30 programming. Grants may be used for
36.31 program expenses, including but not limited
36.32 to hiring instructors and navigators; space
36.33 rental; and supportive services to help
36.34 participants attend classes, including assistance
36.35 with course fees, child care, transportation,

37.1 and safe and stable housing. In addition, up to
37.2 five percent of grant money may be used for
37.3 Workforce Development, Inc.'s administrative
37.4 costs. This is a onetime appropriation and is
37.5 available until June 30, 2027.

37.6 (yy) \$500,000 each year is for a grant to the
37.7 Black Women's Wealth Alliance to provide
37.8 economically eligible individuals with job
37.9 skills training, career counseling, and job
37.10 placement assistance. This is a onetime
37.11 appropriation.

37.12 (zz) \$250,000 each year is for a grant to
37.13 Abijahs on the Backside to provide equine
37.14 experiential mental health therapy to first
37.15 responders suffering from job-related trauma
37.16 and post-traumatic stress disorder. For
37.17 purposes of this paragraph, a "first responder"
37.18 is a peace officer as defined in Minnesota
37.19 Statutes, section 626.84, subdivision 1,
37.20 paragraph (c); a full-time firefighter as defined
37.21 in Minnesota Statutes, section 299N.03,
37.22 subdivision 5; or a volunteer firefighter as
37.23 defined in Minnesota Statutes, section
37.24 299N.03, subdivision 7.

37.25 Abijahs on the Backside must report to the
37.26 commissioner of employment and economic
37.27 development and the chairs and ranking
37.28 minority members of the legislative
37.29 committees with jurisdiction over employment
37.30 and economic development policy and finance
37.31 on the equine experiential mental health
37.32 therapy provided to first responders under this
37.33 paragraph. The report must include an
37.34 overview of the program's budget, a detailed
37.35 explanation of program expenditures, the

38.1 number of first responders served by the
38.2 program, and a list and explanation of the
38.3 services provided to and benefits received by
38.4 program participants. An initial report is due
38.5 by January 15, 2024, and a final report is due
38.6 by January 15, 2026. This is a onetime
38.7 appropriation.

38.8 (aaa) \$200,000 each year is for a grant to
38.9 Project Restore Minnesota for the Social
38.10 Kitchen project, a pathway program for careers
38.11 in the culinary arts. This is a onetime
38.12 appropriation and is available until June 30,
38.13 2027.

38.14 (bbb) \$100,000 each year is for grants to the
38.15 Minnesota Grocers Association Foundation
38.16 for Carts to Careers, a statewide initiative to
38.17 promote careers, conduct outreach, provide
38.18 job skills training, and award scholarships for
38.19 students pursuing careers in the food industry.
38.20 This is a onetime appropriation.

38.21 (ccc) \$1,200,000 each year is for a grant to
38.22 Twin Cities R!SE. Of this amount, \$700,000
38.23 each year is for performance grants under
38.24 Minnesota Statutes, section 116J.8747, to
38.25 Twin Cities R!SE to provide training to
38.26 individuals facing barriers to employment;
38.27 and \$500,000 each year is to increase the
38.28 capacity of the Empowerment Institute through
38.29 employer partnerships across Minnesota and
38.30 expansion of the youth personal empowerment
38.31 curriculum. This is a onetime appropriation
38.32 and available until June 30, 2026.

38.33 (ddd) \$750,000 each year is for a grant to
38.34 Bridges to Healthcare to provide career
38.35 education, wraparound support services, and

39.1 job skills training in high-demand health care
39.2 fields to low-income parents, nonnative
39.3 speakers of English, and other hard-to-train
39.4 individuals, helping families build secure
39.5 pathways out of poverty while also addressing
39.6 worker shortages in one of Minnesota's most
39.7 innovative industries. Grants may be used for
39.8 program expenses, including but not limited
39.9 to hiring instructors and navigators; space
39.10 rental; and supportive services to help
39.11 participants attend classes, including assistance
39.12 with course fees, child care, transportation,
39.13 and safe and stable housing. In addition, up to
39.14 five percent of grant money may be used for
39.15 Bridges to Healthcare's administrative costs.
39.16 This is a onetime appropriation.

39.17 (eee) \$500,000 each year is for a grant to Big
39.18 Brothers Big Sisters of the Greater Twin Cities
39.19 to provide disadvantaged youth ages 12 to 21
39.20 with job-seeking skills, connections to job
39.21 training and education opportunities, and
39.22 mentorship while exploring careers. The grant
39.23 shall serve youth in the Big Brothers Big
39.24 Sisters chapters in the Twin Cities, central
39.25 Minnesota, and southern Minnesota. This is a
39.26 onetime appropriation.

39.27 (fff) \$1,500,000 each year is for a grant to
39.28 Youthprise to provide economic development
39.29 services designed to enhance long-term
39.30 economic self-sufficiency in communities with
39.31 concentrated African populations statewide.
39.32 Of these amounts, 50 percent is for subgrants
39.33 to Ka Joog and 50 percent is for competitive
39.34 subgrants to community organizations. This
39.35 is a onetime appropriation.

40.1 (ggg) \$350,000 each year is for a grant to the
40.2 YWCA Minneapolis to provide training to
40.3 eligible individuals, including job skills
40.4 training, career counseling, and job placement
40.5 assistance necessary to secure a child
40.6 development associate credential and to have
40.7 a career path in early education. This is a
40.8 onetime appropriation.

40.9 (hhh) \$500,000 each year is for a grant to
40.10 Emerge Community Development to support
40.11 and reinforce critical workforce at the Emerge
40.12 Career and Technical Center, Cedar Riverside
40.13 Opportunity Center, and Emerge Second
40.14 Chance programs in the city of Minneapolis.
40.15 This is a onetime appropriation.

40.16 (iii) \$425,000 each year is for a grant to Better
40.17 Futures Minnesota to provide job skills
40.18 training to individuals who have been released
40.19 from incarceration for a felony-level offense
40.20 and are no more than 12 months from the date
40.21 of release. This is a onetime appropriation.

40.22 Better Futures Minnesota shall annually report
40.23 to the commissioner on how the money was
40.24 spent and what results were achieved. The
40.25 report must include, at a minimum,
40.26 information and data about the number of
40.27 participants; participant homelessness,
40.28 employment, recidivism, and child support
40.29 compliance; and job skills training provided
40.30 to program participants.

40.31 (jjj) \$500,000 each year is for a grant to
40.32 Pillsbury United Communities to provide job
40.33 training and workforce development services
40.34 for underserved communities. This is a
40.35 onetime appropriation.

- 41.1 (kkk) \$500,000 each year is for a grant to
41.2 Project for Pride in Living for job training and
41.3 workforce development services for
41.4 underserved communities. This is a onetime
41.5 appropriation.
- 41.6 (lll) \$300,000 each year is for a grant to
41.7 YMCA of the North to provide career
41.8 exploration, job training, and workforce
41.9 development services for underserved youth
41.10 and young adults. This is a onetime
41.11 appropriation.
- 41.12 (mmm) \$500,000 each year is for a grant to
41.13 Al Maa'uun for a strategic intervention
41.14 program designed to target and connect
41.15 program participants to meaningful,
41.16 sustainable living wage employment. This is
41.17 a onetime appropriation.
- 41.18 (nnn) \$500,000 each year is for a grant to
41.19 CAIRO to provide workforce development
41.20 services in health care, technology, and
41.21 transportation (CDL) industries. This is a
41.22 onetime appropriation.
- 41.23 (ooo) \$500,000 each year is for competitive
41.24 grants to organizations providing services to
41.25 relieve economic disparities in the African
41.26 immigrant community through workforce
41.27 recruitment, development, job creation,
41.28 assistance of smaller organizations to increase
41.29 capacity, and outreach. Of this amount, up to
41.30 five percent is for administration and
41.31 monitoring of the program. This is a onetime
41.32 appropriation.
- 41.33 (ppp) \$270,000 each year is for a grant to
41.34 Stairstep to help community members

42.1 understand possibilities for improving
42.2 employment opportunities. This is a onetime
42.3 appropriation.

42.4 (qqq) \$400,000 each year is for a grant to
42.5 Building Strong Communities, Inc, for a
42.6 statewide apprenticeship readiness program
42.7 to prepare women, BIPOC community
42.8 members, and veterans to enter the building
42.9 and construction trades. This is a onetime
42.10 appropriation.

42.11 (rrr) \$150,000 each year is for prevailing wage
42.12 staff under Minnesota Statutes, section
42.13 116J.871, subdivision 2.

42.14 (sss) \$250,000 each year is for the purpose of
42.15 awarding a grant to Minnesota Community of
42.16 African People with Disabilities (MNCAPD),
42.17 Roots Connect, and Fortune Relief and Youth
42.18 Empowerment Organization (FRAYEO). This
42.19 is a onetime appropriation. MNCAPD, Roots
42.20 Connect, and FRAYEO must use grant
42.21 proceeds to provide funding for workforce
42.22 development activities for at-risk youth from
42.23 low-income families and unengaged young
42.24 adults experiencing disabilities, including:

42.25 (1) job readiness training for at-risk youth,
42.26 including resume building, interview skills,
42.27 and job search strategies;

42.28 (2) on-the-job training opportunities with local
42.29 businesses;

42.30 (3) support services such as transportation
42.31 assistance and child care to help youth attend
42.32 job training programs; and

43.1	<u>(4) mentorship and networking opportunities</u>		
43.2	<u>to connect youth with professionals in the</u>		
43.3	<u>youth's desired fields.</u>		
43.4	<u>(ttt) \$500,000 the first year is to the Legislative</u>		
43.5	<u>Coordinating Commission for the Take Force</u>		
43.6	<u>on Youth Interventions. This is a onetime</u>		
43.7	<u>appropriation.</u>		
43.8	<u>Subd. 4. General Support Services</u>	<u>18,031,000</u>	<u>8,059,000</u>
43.9	<u>Appropriations by Fund</u>		
43.10		<u>2024</u>	<u>2025</u>
43.11	<u>General Fund</u>	<u>17,950,000</u>	<u>7,950,000</u>
43.12	<u>Workforce</u>		
43.13	<u>Development</u>	<u>81,000</u>	<u>109,000</u>
43.14	<u>(a) \$1,269,000 each year is for transfer to the</u>		
43.15	<u>Minnesota Housing Finance Agency for</u>		
43.16	<u>operating the Olmstead Compliance Office.</u>		
43.17	<u>(b) \$10,000,000 the first year is for the</u>		
43.18	<u>workforce digital transformation projects. This</u>		
43.19	<u>appropriation is onetime and is available until</u>		
43.20	<u>June 30, 2027.</u>		
43.21	<u>Subd. 5. Minnesota Trade Office</u>	<u>2,242,000</u>	<u>2,242,000</u>
43.22	<u>(a) \$300,000 each year is for the STEP grants</u>		
43.23	<u>in Minnesota Statutes, section 116J.979. The</u>		
43.24	<u>base for this appropriation is \$300,000 in fiscal</u>		
43.25	<u>year 2026 and each year thereafter.</u>		
43.26	<u>(b) \$180,000 each year is for the Invest</u>		
43.27	<u>Minnesota marketing initiative in Minnesota</u>		
43.28	<u>Statutes, section 116J.9781.</u>		
43.29	<u>(c) \$270,000 each year is for the Minnesota</u>		
43.30	<u>Trade Offices under Minnesota Statutes,</u>		
43.31	<u>section 116J.978.</u>		
43.32	<u>Subd. 6. Vocational Rehabilitation</u>	<u>49,136,000</u>	<u>49,136,000</u>

44.1	<u>Appropriations by Fund</u>	
44.2	<u>2024</u>	<u>2025</u>
44.3	<u>General</u>	<u>41,306,000</u> <u>41,306,000</u>
44.4	<u>Workforce</u>	
44.5	<u>Development</u>	<u>7,830,000</u> <u>7,830,000</u>

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

44.9 (b) \$11,495,000 each year from the general
 44.10 fund and \$6,830,000 each year from the
 44.11 workforce development fund are for extended
 44.12 employment services for persons with severe
 44.13 disabilities under Minnesota Statutes, section
 44.14 268A.15. Of the amounts appropriated from
 44.15 the general fund, \$4,500,000 each year is for
 44.16 maintaining prior rate increases to providers
 44.17 of extended employment services for persons
 44.18 with severe disabilities under Minnesota
 44.19 Statutes, section 268A.15.

44.20 (c) \$6,500,000 each year is for grants to
 44.21 programs that provide employment support
 44.22 services to persons with mental illness under
 44.23 Minnesota Statutes, sections 268A.13 and
 44.24 268A.14. The base for this appropriation is
 44.25 \$1,945,000 in fiscal year 2026 and each year
 44.26 thereafter.

44.27 (d) \$9,011,000 each year is for grants to
 44.28 centers for independent living under
 44.29 Minnesota Statutes, section 268A.11. The base
 44.30 for this appropriation is \$3,011,000 in fiscal
 44.31 year 2026 and each year thereafter.

44.32 (e) \$1,000,000 each year is from the workforce
 44.33 development fund for grants under Minnesota
 44.34 Statutes, section 268A.16, for employment
 44.35 services for persons, including transition-age

45.1 youth, who are deaf, deafblind, or
 45.2 hard-of-hearing. If the amount in the first year
 45.3 is insufficient, the amount in the second year
 45.4 is available in the first year.

45.5 **Subd. 7. Services for the Blind** 10,425,000 10,425,000

45.6 (a) \$500,000 each year is for senior citizens
 45.7 who are becoming blind. At least one-half of
 45.8 the money for this purpose must be used to
 45.9 provide training services for seniors who are
 45.10 becoming blind. Training services must
 45.11 provide independent living skills to seniors
 45.12 who are becoming blind to allow them to
 45.13 continue to live independently in their homes.

45.14 (b) \$2,000,000 each year is for the employer
 45.15 reasonable accommodation fund. This is a
 45.16 onetime appropriation.

45.17 **Sec. 3. EXPLORE MINNESOTA** \$ 30,657,000 \$ 15,269,000

45.18 (a) \$500,000 the first year and \$500,000 the
 45.19 second year must be matched from nonstate
 45.20 sources to develop maximum private sector
 45.21 involvement in tourism. Each \$1 of state
 45.22 incentive must be matched with \$6 of private
 45.23 sector money. "Matched" means revenue to
 45.24 the state or documented cash expenditures
 45.25 directly expended to support Explore
 45.26 Minnesota Tourism under Minnesota Statutes,
 45.27 section 116U.05. The incentive in fiscal year
 45.28 2024 is based on fiscal year 2023 private
 45.29 sector contributions. The incentive in fiscal
 45.30 year 2025 is based on fiscal year 2024 private
 45.31 sector contributions. This incentive is ongoing.

45.32 (b) \$11,500,000 the first year is for the
 45.33 development of Explore Minnesota for
 45.34 Business under Minnesota Statutes, section

46.1 116U.07, to market the overall livability and
46.2 economic opportunities of Minnesota. This is
46.3 a onetime appropriation.

46.4 (c) \$2,254,000 is added to the base beginning
46.5 in fiscal year 2026 to build additional
46.6 administrative capacity to provide support in
46.7 the areas of brand strategy, communications,
46.8 and industry relations.

46.9 (d) \$250,000 in fiscal year 2024 is
46.10 appropriated from the general fund to Explore
46.11 Minnesota Tourism for a grant to the Grand
46.12 Portage Band to focus tourism to Grand
46.13 Portage. This is a onetime appropriation.

46.14 (e) Up to \$500,000 in the first year is for
46.15 marketing and promotion of cultural venues
46.16 and events that are located within census
46.17 tracts, based on the most recent data published
46.18 by the United States Census Bureau, where:

46.19 (1) 40 percent or more of the population is
46.20 nonwhite;

46.21 (2) 35 percent or more of the households have
46.22 an income at or below 200 percent of the
46.23 federal poverty level; or

46.24 (3) 40 percent or more of the population over
46.25 the age of five have limited English
46.26 proficiency.

46.27 This is a onetime appropriation.

46.28 (f) Money for marketing grants is available
46.29 either year of the biennium. Unexpended grant
46.30 money from the first year is available in the
46.31 second year.

48.1	<u>Subd. 2. General Support</u>		<u>8,765,000</u>	<u>9,106,000</u>
48.2	<u>This appropriation is from the workers'</u>			
48.3	<u>compensation fund.</u>			
48.4	<u>Subd. 3. Labor Standards</u>		<u>6,872,000</u>	<u>6,508,000</u>
48.5	<u>Appropriations by Fund</u>			
48.6	<u>General</u>	<u>5,309,000</u>	<u>4,873,000</u>	
48.7	<u>Workforce</u>			
48.8	<u>Development</u>	<u>1,563,000</u>	<u>1,635,000</u>	
48.9	<u>(a) \$2,046,000 each year is for wage theft</u>			
48.10	<u>prevention.</u>			
48.11	<u>(b) \$1,563,000 the first year and \$1,635,000</u>			
48.12	<u>the second year are from the workforce</u>			
48.13	<u>development fund for prevailing wage</u>			
48.14	<u>enforcement.</u>			
48.15	<u>(c) \$268,000 the first year and \$276,000 the</u>			
48.16	<u>second year are for outreach and enforcement</u>			
48.17	<u>efforts related to changes to the nursing</u>			
48.18	<u>mothers, lactating employees, and pregnancy</u>			
48.19	<u>accommodations law.</u>			
48.20	<u>(d) \$184,000 the first year and \$142,000 the</u>			
48.21	<u>second year are to strengthen workplace</u>			
48.22	<u>protections for agricultural and food</u>			
48.23	<u>processing workers.</u>			
48.24	<u>(e) \$661,000 the first year and \$357,000 the</u>			
48.25	<u>second year are to perform work for the</u>			
48.26	<u>Nursing Home Workforce Standards Board.</u>			
48.27	<u>The base for this appropriation is \$404,000 in</u>			
48.28	<u>fiscal year 2026 and \$357,000 in fiscal year</u>			
48.29	<u>2027.</u>			
48.30	<u>(f) \$225,000 the first year and \$169,000 the</u>			
48.31	<u>second year are for the purposes of article 11.</u>			
48.32	<u>(g) \$245,000 the first year and \$138,000 the</u>			
48.33	<u>second year are to the Attorney General's</u>			

49.1 Office for the purposes of safe workplaces for
 49.2 meat and poultry workers.

49.3 (h) \$59,000 the first year and \$25,000 the
 49.4 second year are for transfer to the
 49.5 commissioner of the Department of Revenue
 49.6 to implement and administer the change to the
 49.7 state income tax subtraction for damages for
 49.8 sexual harassment or abuse.

49.9 (i) \$75,000 the first year and \$75,000 the
 49.10 second year are for transfer to the attorney
 49.11 general to enforce construction workers wage
 49.12 protections.

49.13 **Subd. 4. Workers' Compensation** 15,190,000 15,725,000

49.14 This appropriation is from the workers'
 49.15 compensation fund.

49.16 **Subd. 5. Workplace Safety** 7,043,000 6,681,000

49.17 Appropriations by Fund

49.18 General 1,259,000 -0-

49.19 Workers'
 49.20 Compensation 5,784,000 6,681,000

49.21 (a) \$477,000 the first year and \$1,128,000 the
 49.22 second year are from the workers'
 49.23 compensation fund for education and outreach,
 49.24 staffing, and technology development of the
 49.25 ergonomics program under Minnesota
 49.26 Statutes, section 182.677. The base
 49.27 appropriation is \$1,487,000 in fiscal year 2026
 49.28 and \$1,196,000 in fiscal year 2027.

49.29 (b) \$1,259,000 the first year for the
 49.30 ergonomics safety grant program. This amount
 49.31 is available until June 30, 2026. This is a
 49.32 onetime appropriation.

49.33 **Subd. 6. Workforce Development Initiatives** 2,659,000 2,371,000

- 50.1 (a) This appropriation is from the workforce
50.2 development fund.
- 50.3 (b) \$300,000 each year is from the workforce
50.4 development fund for the pipeline program.
- 50.5 (c) \$200,000 each year is from the workforce
50.6 development fund for identification of
50.7 competency standards under Minnesota
50.8 Statutes, section 175.45.
- 50.9 (d) \$1,500,000 each year is from the
50.10 workforce development fund for youth skills
50.11 training grants under Minnesota Statutes,
50.12 section 175.46.
- 50.13 (e) \$359,000 the first year and \$371,000 the
50.14 second year are from the workforce
50.15 development fund for administration of the
50.16 youth skills training grants under Minnesota
50.17 Statutes, section 175.46.
- 50.18 (f) \$300,000 the first year is for transfer to the
50.19 commissioner of the Department of Education
50.20 for a grant to Independent School District No.
50.21 294, Houston, for the Minnesota Virtual
50.22 Academy's career pathways program with
50.23 Operating Engineers Local 49. The program
50.24 may include up to five semesters of courses
50.25 and must lead to eligibility into the Operating
50.26 Engineers Local 49 apprenticeship program.
- 50.27 (1) The grant may be used to encourage and
50.28 support student participation in the career
50.29 pathways program through additional
50.30 academic, counseling, and other support
50.31 services provided by the student's enrolling
50.32 school district. The Minnesota Virtual
50.33 Academy may contract with a student's

51.1 enrolling school district to provide these
 51.2 services.

51.3 (2) The career pathways program must provide
 51.4 outreach to and encourage participation in its
 51.5 programming by students of color, Indigenous
 51.6 students, students from families with low
 51.7 income, students located throughout
 51.8 Minnesota, and underserved students. This
 51.9 appropriation does not cancel and is available
 51.10 until June 30, 2025.

51.11 (3) On January 15 of each year following the
 51.12 receipt of a grant, Independent School District
 51.13 No. 294, Houston, must submit a written
 51.14 report to the chairs and ranking minority
 51.15 members of the legislative committees having
 51.16 jurisdiction over education and workforce
 51.17 development. A grant award and report must
 51.18 be in accordance with the provisions of
 51.19 Minnesota Statutes, sections 3.195 and
 51.20 127A.20. The report must describe students'
 51.21 experiences with the program. The report must
 51.22 document the program's spending and the
 51.23 number of students participating in the
 51.24 program and entering into the apprenticeship
 51.25 program. The report must include geographic
 51.26 and demographic information on the program
 51.27 participants, make recommendations to
 51.28 improve the support of career pathways
 51.29 programs statewide, and make
 51.30 recommendations to improve student
 51.31 participation in career pathways programs.

51.32	<u>Subd. 7. Combative Sports</u>	<u>243,000</u>	<u>254,000</u>
51.33	<u>Subd. 8. Apprenticeship</u>	<u>5,689,000</u>	<u>2,759,000</u>

- 52.1 (a) This appropriation is from the workforce
52.2 development fund.
- 52.3 (b) \$1,330,000 the first year and \$1,392,000
52.4 the second year are from the workforce
52.5 development fund for the apprenticeship
52.6 program under Minnesota Statutes, chapter
52.7 178.
- 52.8 (c) \$1,134,000 the first year and \$1,142,000
52.9 the second year are from the workforce
52.10 development fund for labor education and
52.11 advancement program grants under Minnesota
52.12 Statutes, section 178.11.
- 52.13 (d) \$3,000,000 in the first year is from the
52.14 workforce development fund for grants to
52.15 registered apprenticeship programs for clean
52.16 economy occupations. Of this amount, up to
52.17 five percent is for administration and
52.18 monitoring of the program. This appropriation
52.19 is onetime and is available until June 30, 2026.
52.20 Grant funds may be used to:
- 52.21 (1) purchase equipment or training materials
52.22 in clean technologies;
- 52.23 (2) fund instructor professional development
52.24 in clean technologies;
- 52.25 (3) design and refine curriculum in clean
52.26 technologies; and
- 52.27 (4) train apprentices and upskill incumbent
52.28 workers in clean technologies.
- 52.29 (e) \$225,000 the first year and \$225,000 the
52.30 second year are from the workforce
52.31 development fund for grants to Building
52.32 Strong Communities for the Helmets to
52.33 Hardhats Minnesota initiative. Grant money

53.1 must be used to recruit, retain, assist, and
 53.2 support National Guard, reserve, and active
 53.3 duty military members' and veterans'
 53.4 participation in apprenticeship programs
 53.5 registered with the Department of Labor and
 53.6 Industry and connect service members and
 53.7 veterans with career training and employment
 53.8 in the building and construction industry. The
 53.9 recruitment, selection, employment, and
 53.10 training must be without discrimination due
 53.11 to race, color, creed, religion, national origin,
 53.12 sex, sexual orientation, marital status, physical
 53.13 or mental disability, receipt of public
 53.14 assistance, or age.

53.15 **Sec. 3. WORKERS' COMPENSATION COURT**
 53.16 **OF APPEALS**

\$	<u>2,583,000</u>	\$	<u>2,563,000</u>
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53.17 This appropriation is from the workers'
 53.18 compensation fund.

53.19 **Sec. 4. BUREAU OF MEDIATION SERVICES**

\$	<u>2,957,000</u>	\$	<u>3,039,000</u>
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53.20 (a) \$68,000 each year is for grants to area
 53.21 labor management committees. Grants may
 53.22 be awarded for a 12-month period beginning
 53.23 July 1 each year. Any unencumbered balance
 53.24 remaining at the end of the first year does not
 53.25 cancel but is available for the second year.

53.26 (b) \$47,000 each year is for rulemaking,
 53.27 staffing, and other costs associated with peace
 53.28 officer grievance procedures.

54.1

ARTICLE 3

54.2

EXPLORE MINNESOTA

54.3 Section 1. Minnesota Statutes 2022, section 116U.05, is amended to read:

54.4 **116U.05 EXPLORE MINNESOTA TOURISM.**

54.5 Explore Minnesota ~~Tourism~~ is ~~created~~ as an office in the executive branch with a director
 54.6 appointed by the governor. The director is under the supervision of the commissioner of
 54.7 employment and economic development and oversees Explore Minnesota Tourism and
 54.8 Explore Minnesota for Business divisions. The director serves in the unclassified service
 54.9 and must be qualified by experience and training in ~~travel and tourism~~ related fields.

54.10 Sec. 2. **[116U.06] EXPLORE MINNESOTA TOURISM.**

54.11 Explore Minnesota Tourism is a division of Explore Minnesota and exists to support
 54.12 Minnesota's economy through promotion and facilitation of travel to and within the state
 54.13 of Minnesota.

54.14 Sec. 3. **[116U.07] EXPLORE MINNESOTA FOR BUSINESS.**

54.15 Explore Minnesota for Business is a division of Explore Minnesota. Its mission is to
 54.16 promote overall livability and workforce and economic opportunity in Minnesota. Explore
 54.17 Minnesota for Business works in conjunction with the department of employment and
 54.18 economic development to establish and meet statewide goals in these areas.

54.19 Sec. 4. Minnesota Statutes 2022, section 116U.10, is amended to read:

54.20 **116U.10 DEFINITIONS.**

54.21 Subdivision 1. **Scope.** ~~As used in~~ For the purposes of this chapter, the terms ~~defined~~ in
 54.22 this section have the meanings given them.

54.23 Subd. 2. **Director.** "Director" means the executive director of Explore Minnesota
 54.24 ~~Tourism.~~

54.25 Subd. 3. **Office.** "Office" means Explore Minnesota ~~Tourism.~~

54.26 Sec. 5. Minnesota Statutes 2022, section 116U.15, is amended to read:

54.27 **116U.15 MISSION.**

54.28 (a) The mission of Explore Minnesota ~~Tourism~~ is to promote and facilitate increased
 54.29 travel to and within the state of Minnesota, promote overall livability, and promote workforce

55.1 and economic opportunity in Minnesota. To further the mission of Explore Minnesota, the
 55.2 office is advised by councils focused on tourism and talent attraction and business marketing.

55.3 Its goals are to:

55.4 (1) expand public and private partnerships through increased interagency efforts and
 55.5 increased tourism and business industry participation;

55.6 (2) increase productivity through enhanced flexibility and options; and

55.7 (3) use innovative fiscal and human resource practices to manage the state's resources
 55.8 and operate the office as efficiently as possible.

55.9 (b) The director shall report to the legislature on the performance of the office's operations
 55.10 and the accomplishment of its goals in the office's biennial budget according to section
 55.11 16A.10, subdivision 1.

55.12 Sec. 6. Minnesota Statutes 2022, section 116U.20, is amended to read:

55.13 **116U.20 ORGANIZATION.**

55.14 The director shall:

55.15 (1) employ assistants and other officers, employees, and agents that the director considers
 55.16 necessary to discharge the functions of the office; ~~and~~

55.17 (2) define the duties of the officers, employees, and agents, and delegate to them any of
 55.18 the director's powers, duties, and responsibilities, subject to the director's control and under
 55.19 conditions prescribed by the director;;

55.20 (3) oversee the overall strategy and budgets of the Tourism and Business divisions; and

55.21 (4) chair or cochair and oversee the Tourism and Business councils.

55.22 Sec. 7. **116U.24 EXPLORE MINNESOTA COUNCILS.**

55.23 (a) The director shall be advised by the Explore Minnesota Tourism Council and Explore
 55.24 Minnesota for Business Council, each consisting of voting members appointed by the
 55.25 governor for four-year terms. The director of Explore Minnesota serves as the chair or
 55.26 cochair of each council. The director may assign employees of the office to participate in
 55.27 oversight of council operations.

55.28 (b) Each council shall act to serve the broader interests of the council's divisions by
 55.29 promoting activities and programs of the office that support, maintain, and expand the state's

56.1 domestic and international travel and trade markets, thereby generating increased visitor
56.2 expenditures, revenue, and employment.

56.3 (c) Filling of membership vacancies is as provided in section 15.059. The terms of
56.4 one-half of the members shall be coterminous with the governor, and the terms of the
56.5 remaining one-half of the members shall end on the first Monday in January one year after
56.6 the terms of the other members. Members may serve until their successors are appointed
56.7 and qualify. Members are not compensated. A member may be reappointed.

56.8 (d) The council shall meet at least four times per year and at other times determined by
56.9 each council.

56.10 (e) If compliance with section 13D.02 is impractical, the Explore Minnesota councils
56.11 may conduct a meeting of their members by telephone or other electronic means so long as
56.12 the following conditions are met:

56.13 (1) all members of each council participating in the meeting, wherever their physical
56.14 location, can hear one another and can hear all discussion and testimony;

56.15 (2) members of the public present at the regular meeting location of the council can hear
56.16 clearly all discussion and testimony and all votes of members of each council and, if needed,
56.17 receive those services required by sections 15.44 and 15.441;

56.18 (3) at least one member of each council is physically present at the regular meeting
56.19 location; and

56.20 (4) all votes are conducted by roll call, so each member's vote on each issue can be
56.21 identified and recorded.

56.22 (f) Each member of each council participating in a meeting by telephone or other
56.23 electronic means is considered present at the meeting for purposes of determining a quorum
56.24 and participating in all proceedings.

56.25 (g) If telephone or other electronic means is used to conduct a meeting, each council, to
56.26 the extent practicable, shall allow a person to monitor the meeting electronically from a
56.27 remote location. Each council may require the person making such a connection to pay for
56.28 documented marginal costs that each council incurs as a result of the additional connection.

56.29 (h) If telephone or other electronic means is used to conduct a regular, special, or
56.30 emergency meeting, the council shall provide notice of the regular meeting location, of the
56.31 fact that some members may participate by telephone or other electronic means, and whether
56.32 a cost will be incurred under paragraph (f). The timing and method of providing notice is
56.33 governed by section 13D.04.

57.1 Sec. 8. **[116U.242] EXPLORE MINNESOTA FOR BUSINESS COUNCIL.**

57.2 (a) The director shall be advised by the Explore Minnesota for Business Council
57.3 consisting of up to 14 voting members appointed by the governor for four-year terms,
57.4 including:

57.5 (1) the director of Explore Minnesota and the commissioner of employment and economic
57.6 development, who serve as cochairs;

57.7 (2) three representatives in marketing, human resources, or executive leadership from
57.8 Minnesota-based companies with more than 100 employees representing Minnesota's key
57.9 industries, including health care, technology, food and agriculture, manufacturing, retail,
57.10 energy, and support services;

57.11 (3) two representatives from statewide or regional marketing or business association
57.12 leadership, the Iron Range, and nonprofits focused on economic development or human
57.13 resource management;

57.14 (4) one representative from a Minnesota college or university staff, faculty, leadership,
57.15 student leadership, or alumni association;

57.16 (5) one member representing Minnesota's start-up and entrepreneurial industry who has
57.17 started at least one Minnesota-based business in the last five years and has at least 20
57.18 employees;

57.19 (6) two representatives from the Minnesota Indian Affairs Council and Minnesota Tribal
57.20 leadership, including casino management;

57.21 (7) two representatives from Minnesota's Ethnic Chambers of Commerce Leadership
57.22 and the Minnesota Chamber of Commerce; and

57.23 (8) one at-large representative in the field of general marketing, talent attraction, or
57.24 economic development.

57.25 (b) The council shall act to serve the broader interest of promoting overall livability and
57.26 workforce and economic opportunity in Minnesota. Members shall advise Explore Minnesota
57.27 for Business' marketing efforts by emphasizing and prioritizing diversity, equity, inclusion,
57.28 and accessibility and providing professional marketing insights.

57.29 Sec. 9. Minnesota Statutes 2022, section 116U.30, is amended to read:

57.30 **116U.30 DUTIES OF DIRECTOR.**

57.31 (a) The director shall:

58.1 (1) publish, disseminate, and distribute informational and promotional materials;

58.2 (2) promote and encourage the coordination of Minnesota travel, tourism, overall
 58.3 livability, and workforce and economic opportunity promotion efforts with other state
 58.4 agencies and develop multiagency marketing strategies when appropriate;

58.5 (3) promote and encourage the expansion and development of international tourism,
 58.6 trade, and Minnesota livability marketing;

58.7 (4) advertise and disseminate information about Minnesota travel, tourism, and workforce
 58.8 and economic development opportunities;

58.9 (5) aid various local communities to improve their travel, tourism, and overall livability
 58.10 marketing programs;

58.11 (6) coordinate and implement a comprehensive state travel, tourism, workforce and
 58.12 economic development, and overall livability marketing ~~program~~ programs that ~~takes~~ take
 58.13 into consideration public and private businesses and attractions;

58.14 (7) contract, in accordance with section 16C.08, for professional services if the work or
 58.15 services cannot be satisfactorily performed by employees of the agency or by any other
 58.16 state agency;

58.17 (8) provide local, regional, and statewide ~~tourism~~ organizations with information,
 58.18 technical assistance, training, and advice on using state tourism and livability information
 58.19 and programs; and

58.20 (9) generally gather, compile, and make available statistical information relating to
 58.21 Minnesota travel, tourism, workforce and economic development, overall livability, and
 58.22 related areas in this state, ~~with~~. The director has the authority to call upon other state agencies
 58.23 for statistical data and results obtained by them and to arrange and compile that statistical
 58.24 information.

58.25 (b) The director may:

58.26 (1) apply for, receive, and spend money for travel, tourism, workforce and economic
 58.27 development, and overall livability development and marketing from other agencies ~~and~~
 58.28 ~~tourism,~~ organizations, and businesses;

58.29 (2) apply for, accept, and disburse grants and other aids for tourism development and
 58.30 marketing from the federal government and other sources;

58.31 (3) enter into joint powers or cooperative agreements with agencies of the federal
 58.32 government, local governmental units, regional development commissions, other state

59.1 agencies, the University of Minnesota and other educational institutions, other states,
 59.2 Canadian provinces, and local, statewide, and regional ~~tourism~~ organizations as necessary
 59.3 to perform the director's duties;

59.4 (4) enter into interagency agreements and agree to share net revenues with the contributing
 59.5 agencies;

59.6 (5) make grants;

59.7 (6) conduct market research and analysis to improve marketing techniques in the area
 59.8 of travel, tourism, workforce and economic development, and overall livability;

59.9 (7) monitor and study trends in the ~~tourism industry~~ related industries and provide
 59.10 resources and training to address change;

59.11 (8) annually convene conferences of Minnesota ~~tourism~~ providers for the purposes of
 59.12 exchanging information on tourism development, coordinating marketing activities, and
 59.13 formulating tourism, overall livability, and workforce and economic opportunity promotion
 59.14 development strategies; and

59.15 (9) enter into ~~tourism~~ promotion contracts or other agreements with private persons and
 59.16 public entities, including agreements to establish and maintain offices and other types of
 59.17 representation in foreign countries; to promote international travel and to implement this
 59.18 chapter.

59.19 (c) Contracts for goods and nonprofessional technical services made under paragraph
 59.20 (b), clauses (3) and (9), are not subject to the provisions of sections 16C.03, subdivision 3,
 59.21 and 16C.06 concerning competitive bidding and section 16C.055 concerning barter
 59.22 arrangements. ~~Unless otherwise determined by the commissioner of administration, all other~~
 59.23 ~~provisions of chapter 16C apply to this section, including section 16C.08, relating to~~
 59.24 ~~professional and technical services.~~ Contracts may be negotiated and are not subject to the
 59.25 provisions of chapter 16C relating to competitive bidding.

59.26 Sec. 10. Minnesota Statutes 2022, section 116U.35, is amended to read:

59.27 **116U.35 PROMOTIONAL EXPENSES.**

59.28 To promote travel, tourism, workforce and economic development, and overall livability
 59.29 of the state, the director may expend money appropriated by the legislature for these purposes
 59.30 in the same manner as private persons, firms, corporations, and associations make
 59.31 expenditures for these purposes. Policies on promotional expenses must be approved by ~~the~~
 59.32 ~~Explore Minnesota Tourism Council~~ and the commissioner of administration. A policy for

60.1 expenditures on food, lodging, and travel must be approved by the commissioner of
60.2 management and budget. No money may be expended for the appearance in radio or
60.3 television broadcasts by an elected public official.

60.4 ARTICLE 4

60.5 PROVIDING RESOURCES AND OPPORTUNITY AND MAXIMIZING 60.6 INVESTMENT IN STRIVING ENTREPRENEURS

60.7 Section 1. TITLE.

60.8 This act shall be known as the "Providing Resources and Opportunity and Maximizing
60.9 Investments in Striving Entrepreneurs (PROMISE) Act."

60.10 Sec. 2. PROMISE GRANT PROGRAM.

60.11 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
60.12 the meanings given.

60.13 (b) "Business" means both for-profit businesses and nonprofit organizations that earn
60.14 revenue in ways similar to businesses.

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

60.16 (d) "Partner organization" or "partner" means the Minnesota Initiative Foundations and
60.17 nonprofit corporations receiving grants to provide grants to businesses under this section.

60.18 (e) "Program" means the PROMISE grant program under this section.

60.19 Subd. 2. Establishment. The commissioner shall establish the PROMISE grant program
60.20 to make grants to partner organizations to make grants to businesses in communities that
60.21 have been adversely affected by structural racial discrimination, civil unrest, lack of access
60.22 to capital, loss of population or an aging population, or lack of regional economic
60.23 diversification.

60.24 Subd. 3. Grants to partner organizations. (a) The commissioner shall make grants to
60.25 partner organizations to provide grants to businesses under subdivision 4 using criteria,
60.26 forms, applications, and reporting requirements developed by the commissioner.

60.27 (b) Up to five percent of a grant under this subdivision may be used by the partner
60.28 organization for administration and monitoring of the program, and up to three percent of
60.29 a grant may be used by the partner organization for technical assistance to grantees.

60.30 (c) Any money not spent by partner organizations by June 30, 2027, must be returned
60.31 to the commissioner and canceled back to the general fund.

61.1 Subd. 4. **Grants to businesses.** (a) Partners shall make grants to businesses using criteria,
61.2 forms, applications, and reporting requirements developed by the commissioner.

61.3 (b) To be eligible for a grant under this subdivision, a business must:

61.4 (1) have primary business operations located in the state of Minnesota;

61.5 (2) be located in a community that has been adversely affected by structural racial
61.6 discrimination, civil unrest, lack of access to capital, a loss of population or an aging
61.7 population, or a lack of regional economic diversification; and

61.8 (3) have a gross annual revenue of \$350,000 or less based on 2021 taxes.

61.9 (c) Preference shall be given to businesses that did not receive previous assistance from
61.10 the state under:

61.11 (1) the governor's Executive Order No. 20-15;

61.12 (2) Laws 2020, First Special Session chapter 1, section 4;

61.13 (3) Laws 2020, Seventh Special Session chapter 2, article 4 or 5; or

61.14 (4) Laws 2021, First Special Session chapter 10, article 2, section 22.

61.15 (d) Preference may be given to businesses that are able to demonstrate financial hardship.

61.16 (e) Grants under this subdivision must not exceed \$50,000 per grant.

61.17 (f) No business may receive more than one grant under this section.

61.18 (g) Grant money may be used for land acquisition or for working capital to support
61.19 payroll expenses, rent or mortgage payments, utility bills, and other similar expenses that
61.20 occur in the regular course of business.

61.21 (h) Any grant money used for land acquisition must be repaid to the state if the land
61.22 acquired is sold within ten years of the grant award.

61.23 Subd. 5. **Grant requirements.** All grants to businesses under this section are subject to
61.24 the grant-making requirements in sections 16B.97, 16B.98, and 16B.991.

61.25 Subd. 6. **Reports.** (a) By January 31, 2026, partner organizations participating in the
61.26 program must provide a report to the commissioner that includes descriptions of the
61.27 businesses supported by the program, the amounts granted, and an explanation of
61.28 administrative expenses.

61.29 (b) By February 15, 2026, the commissioner must report to the legislative committees
61.30 in the house of representatives and senate with jurisdiction over economic development

62.1 about grants made under this section based on the information received under paragraph
 62.2 (a).

62.3 Subd. 7. **Expiration.** This section expires December 31, 2027.

62.4 Sec. 3. **PROMISE LOAN PROGRAM.**

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

62.7 (b) "Borrower" means an eligible recipient receiving a loan guaranteed under this section.

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

62.9 (d) "Eligible project" means the development, redevelopment, demolition, site preparation,
 62.10 predesign, design, engineering, repair, land acquisition, relocation, or renovation of real
 62.11 property or capital improvements. Eligible project includes but is not limited to construction
 62.12 of buildings, infrastructure, related site amenities, landscaping, and street-scaping.

62.13 (e) "Eligible recipient" means a:

62.14 (1) business;

62.15 (2) nonprofit organization; or

62.16 (3) developer that is seeking funding to complete an eligible project. Eligible recipient
 62.17 does not include a partner organization or a local unit of government.

62.18 (f) "Partner organization" or "Partner" means the Minnesota Initiative Foundations and
 62.19 nonprofit corporations receiving grants to provide loans under this section.

62.20 (g) "Program" means the PROMISE loan program under this section.

62.21 (h) "Redevelopment" means the acquisition of real property; site preparation; predesign,
 62.22 design, engineering, repair, or renovation of facilities façade improvements, and construction
 62.23 of buildings, infrastructure, and related site amenities; landscaping; street-scaping;
 62.24 land-banking for future development or redevelopment; or financing any of these activities
 62.25 taken on by a private party pursuant to an agreement with the city. Redevelopment does not
 62.26 include project costs eligible for compensation or assistance available through insurance
 62.27 policies or from other organizations or government agencies.

62.28 (i) "Relocation" means financial support for businesses that would like to relocate to
 62.29 another location within the same city, county, or region in Minnesota.

62.30 Subd. 2. **Establishment.** The commissioner shall establish the PROMISE loan program
 62.31 to make grants to partner organizations to make loans to businesses in communities that

63.1 have been adversely affected by structural racial discrimination, civil unrest, lack of access
63.2 to capital, a loss of population or an aging population, or a lack of regional economic
63.3 diversification.

63.4 Subd. 3. **Grants to partner organizations.** (a) The commissioner shall make grants to
63.5 partner organizations to provide loans to businesses as specified under this section.

63.6 (b) Up to five percent of a grant under this subdivision may be used by the partner
63.7 organization for administration and monitoring of the program, and up to three percent of
63.8 a grant may be used by the partner organization for technical assistance to borrowers.

63.9 (c) Any money not spent by partner organizations by June 30, 2027, must be returned
63.10 to the commissioner and canceled back to the general fund.

63.11 Subd. 4. **Loans to eligible recipients.** (a) A partner organization may make loans to
63.12 eligible recipients for eligible projects. A loan to an eligible recipient for an eligible project
63.13 must:

63.14 (1) be for no more than \$1,000,000;

63.15 (2) be for a term of no more than ten years; and

63.16 (3) must be a three percent interest loan.

63.17 (b) Loans must not be used for working capital or inventory; consolidating, repaying,
63.18 or refinancing debt; or speculation or investment in rental real estate.

63.19 Subd. 5. **Loans to businesses.** (a) To be eligible for a loan under this subdivision, a
63.20 business must:

63.21 (1) have primary business operations located in the state of Minnesota;

63.22 (2) have gross annual revenue of less than \$1,000,000 based on 2021 taxes; and

63.23 (3) be located in a community that has been adversely affected by structural racial
63.24 discrimination, civil unrest, lack of access to capital, a loss of population or an aging
63.25 population, or a lack of regional economic diversification.

63.26 Subd. 6. **Revolving loan fund.** Partner organizations that receive grants from the
63.27 commissioner under the program must establish a commissioner-certified revolving loan
63.28 fund for the purpose of making eligible loans.

63.29 Subd. 7. **Preference.** (a) Priority shall be given to those businesses that have not received
63.30 a grant under a Main Street COVID-19 relief grant program or a loan from the Main Street
63.31 Economic Revitalization Loan Program.

64.1 (b) Priority may also be given to projects that involve developers who are Black,
 64.2 Indigenous, or People of Color; veterans; or women.

64.3 Subd. 8. **Oversight.** Grants and any loans to borrowers under this section are subject to
 64.4 the grant-making requirements in sections 16B.97, 16B.98, and 16B.991.

64.5 Subd. 9. **Reports.** (a) By January 31, 2026, partner organizations participating in the
 64.6 program must provide a report to the commissioner that includes descriptions of the
 64.7 businesses supported by the program, the amounts loaned, and an explanation of
 64.8 administrative expenses.

64.9 (b) By February 15, 2026, the commissioner must report to the legislative committees
 64.10 in the house of representatives and senate with jurisdiction over economic development
 64.11 about loans made under this section based on the information received under paragraph (a).

64.12 Subd. 10. **Expiration.** This section expires December 31, 2027.

64.13 **ARTICLE 5**

64.14 **DEED POLICY**

64.15 Section 1. **[116J.418] OFFICE OF CHILD CARE COMMUNITY PARTNERSHIPS.**

64.16 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this
 64.17 subdivision have the meanings given them.

64.18 (b) "Child care" means the care of children while parents or guardians are at work or
 64.19 absent for another reason.

64.20 (c) "Local unit of government" has the meaning given in section 116G.03, subdivision
 64.21 3.

64.22 (d) "Office" means the Office of Child Care Community Partnerships established in
 64.23 subdivision 2, paragraph (a).

64.24 Subd. 2. **Office established; purpose.** (a) An Office of Child Care Community
 64.25 Partnerships is established within the Department of Employment and Economic
 64.26 Development. The department may employ a director and staff necessary to carry out the
 64.27 office's duties under subdivision 4.

64.28 (b) The purpose of the office is to support child care businesses within the state in order
 64.29 to:

64.30 (1) increase the quantity of quality child care available; and

64.31 (2) improve accessibility to child care for underserved communities and populations.

65.1 Subd. 3. **Organization.** The office shall consist of a director of the Office of Child Care
65.2 Community Partnerships, as well as any staff necessary to carry out the office's duties under
65.3 subdivision 4.

65.4 Subd. 4. **Duties.** The office shall have the power and duty to:

65.5 (1) coordinate with state, regional, local, and private entities to promote investment in
65.6 increasing the quantity of quality child care in Minnesota;

65.7 (2) coordinate with other agencies including but not limited to Minnesota Management
65.8 and Budget, the Department of Human Services, and the Department of Education to develop,
65.9 recommend, and implement solutions to increase the quantity of quality child care openings;

65.10 (3) administer the child care economic development grant program and other
65.11 appropriations to the department for this purpose;

65.12 (4) monitor the child care business development efforts of other states and countries;

65.13 (5) provide support to the governor's Children's Cabinet;

65.14 (6) provide an annual report, as required by subdivision 5; and

65.15 (7) perform any other activities consistent with the office's purpose.

65.16 Subd. 5. **Reporting.** (a) Beginning January 15, 2024, and each year thereafter, the Office
65.17 of Child Care Community Partnerships shall report to the legislative committees with
65.18 jurisdiction over child care policy and finance on the office's activities during the previous
65.19 year.

65.20 (b) The report shall contain, at a minimum:

65.21 (1) an analysis of the current access to child care within the state;

65.22 (2) an analysis of the current shortage of child care workers within the state;

65.23 (3) a summary of the office's activities;

65.24 (4) any proposed legislative and policy initiatives; and

65.25 (5) any other information requested by the legislative committees with jurisdiction over
65.26 child care, or that the office deems necessary.

65.27 (c) The report may be submitted electronically and is subject to section 3.195, subdivision
65.28 1.

66.1 Sec. 2. [116J.4231] OFFICE OF NEW AMERICANS.

66.2 Subdivision 1. Office established; purpose. (a) The Office of New Americans is
66.3 established within the Department of Employment and Economic Development. The governor
66.4 must appoint an assistant commissioner who serves in the unclassified service. The assistant
66.5 commissioner must hire a program manager, an office assistant, and any staff necessary to
66.6 carry out the office's duties under subdivision 2.

66.7 (b) The purpose of the office is to foster immigrant and refugee inclusion through an
66.8 intentional process to improve economic mobility, enhance civic participation, and improve
66.9 receiving communities' openness to immigrants and refugees by incorporating the needs
66.10 and aspirations of immigrants and refugees, their families, and their communities for the
66.11 benefit of all by fulfilling the duties outlined in subdivision 2.

66.12 Subd. 2. Duties. The Office of New Americans has the following duties:

66.13 (1) create and implement a statewide strategy and programming to foster and promote
66.14 immigrant and refugee inclusion in Minnesota so as to improve economic mobility, enhance
66.15 civic participation, and improve receiving communities' openness to immigrants and refugees;

66.16 (2) address the state's workforce needs by connecting employers and job seekers within
66.17 the immigrant and refugee community;

66.18 (3) identify and support implementation of programs and strategies to reduce employment
66.19 barriers for immigrants and refugees, including the creation of alternative employment
66.20 pathways;

66.21 (4) support programs and activities designed to ensure equitable access to the workforce
66.22 for immigrants and refugees, including those who are disabled;

66.23 (5) support equitable opportunities for immigrants and refugees to access state government
66.24 services and grants, including collaborating with Minnesota's ethnic councils as created by
66.25 section 15.0145;

66.26 (6) work with state agencies, Minnesota's ethnic councils, and community and foundation
66.27 partners to undertake studies and research and analyze economic and demographic trends
66.28 to better understand and serve the state's immigrant and refugee communities;

66.29 (7) coordinate and establish best practices for language access initiatives to all state
66.30 agencies after soliciting input from Minnesota's ethnic councils;

66.31 (8) convene stakeholders to further the objectives identified in subdivision 1;

67.1 (9) make policy recommendations to the governor on issues impacting immigrants and
 67.2 refugees in consultation with Minnesota's ethnic councils;

67.3 (10) engage all stakeholders to further the objectives identified in subdivision 1 within
 67.4 the context of workforce access and workforce readiness, including in the areas of
 67.5 employment, housing, legal services, health care, and education and communicate the
 67.6 importance of immigrant and refugee inclusion in the success of immigrants, refugees, their
 67.7 children, and the communities in which they settle;

67.8 (11) engage with and support existing municipal and county offices that promote and
 67.9 foster immigrant and refugee inclusion and encourage the development of new municipal
 67.10 and county offices dedicated to immigrant and refugee inclusion;

67.11 (12) serve as the point of contact for immigrants and refugees accessing resources both
 67.12 within the department and with boards charged with oversight of a profession;

67.13 (13) promulgate rules necessary to implement and effectuate this section;

67.14 (14) provide an annual report, as required by subdivision 3; and

67.15 (15) perform any other activities consistent with the office's purpose.

67.16 Subd. 3. **Reporting.** (a) Beginning January 15, 2025, and each year thereafter, the Office
 67.17 of New Americans shall report to the legislative committees with jurisdiction over the
 67.18 office's activities during the previous year.

67.19 (b) The report shall contain, at a minimum:

67.20 (1) a summary of the office's activities;

67.21 (2) suggested policies, incentives, and legislation designed to accelerate the achievement
 67.22 of the duties under subdivision 2;

67.23 (3) any proposed legislative and policy initiatives;

67.24 (4) the amount and types of grants awarded under subdivision 6; and

67.25 (5) any other information deemed necessary and requested by the legislative committees
 67.26 with jurisdiction over the office.

67.27 (c) The report may be submitted electronically and is subject to section 3.195, subdivision
 67.28 1.

67.29 Subd. 4. **Interdepartmental Coordinating Council on Immigrant and Refugee**
 67.30 **Affairs.** (a) An Interdepartmental Coordinating Council on Immigrant and Refugee Affairs
 67.31 is established to advise the Office of New Americans.

68.1 (b) The purpose of the council is to identify and establish ways in which state
 68.2 departments, agencies, and Minnesota's ethnic councils can work together to deliver state
 68.3 programs and services effectively and efficiently to Minnesota's immigrant and refugee
 68.4 populations. The council shall implement policies, procedures, and programs requested by
 68.5 the governor through the state departments and offices.

68.6 (c) The council shall be chaired by the assistant commissioner of the Office of New
 68.7 Americans and shall include the commissioners, department directors, or designees from
 68.8 the following:

68.9 (1) the governor's office;

68.10 (2) the Department of Administration;

68.11 (3) the Department of Employment and Economic Development;

68.12 (4) the Department of Human Services;

68.13 (5) the Department of Human Services Refugee Resettlement Programs Office;

68.14 (6) the Department of Labor and Industry;

68.15 (7) the Department of Health;

68.16 (8) the Department of Education;

68.17 (9) the Office of Higher Education;

68.18 (10) the Department of Public Safety;

68.19 (11) the Department of Corrections;

68.20 (12) the Council on Asian Pacific Minnesotans;

68.21 (13) the Council for Minnesotans of African Heritage; and

68.22 (14) the Minnesota Council on Latino Affairs.

68.23 (d) Each department or office specified in paragraph (c) shall designate one staff member
 68.24 as an immigrant and refugee services liaison. The liaison's responsibilities shall include:

68.25 (1) preparation and dissemination of information and services available to immigrants
 68.26 and refugees; and

68.27 (2) interfacing with the Office of New Americans on issues that impact immigrants and
 68.28 refugees and their communities.

68.29 Subd. 5. **No right of action.** Nothing in this section shall be construed to create any
 68.30 right or benefit, substantive or procedural, enforceable at law or in equity by any party

69.1 against the state; its departments, agencies, or entities; its officers, employees, or agents;
 69.2 or any other person.

69.3 Subd. 6. **Grants.** The Office of New Americans may apply for grants for interested state
 69.4 agencies, community partners, and stakeholders under this section to carry out the duties
 69.5 under subdivision 2.

69.6 Sec. 3. Minnesota Statutes 2022, section 116J.5492, subdivision 8, is amended to read:

69.7 Subd. 8. **Meetings.** The advisory committee must meet ~~monthly until the energy transition~~
 69.8 ~~plan is submitted~~ quarterly and submit an updated energy transition plan annually to the
 69.9 governor and the legislature. Once submitted, the committee shall develop a regular meeting
 69.10 schedule as needed. The chair may call additional meetings as necessary.

69.11 Sec. 4. Minnesota Statutes 2022, section 116J.5492, subdivision 10, is amended to read:

69.12 Subd. 10. **Expiration.** This section expires ~~the day after the Minnesota energy transition~~
 69.13 ~~plan required under section 116J.5493 is submitted to the legislature and the governor on~~
 69.14 June 30, 2027.

69.15 Sec. 5. **[116J.682] SMALL BUSINESS ASSISTANCE PARTNERSHIPS PROGRAM.**

69.16 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this
 69.17 subdivision have the meanings given.

69.18 (b) "Commissioner" means the commissioner of employment and economic development.

69.19 (c) "Partner organizations" or "partners" means:

69.20 (1) nonprofit organizations or public entities, including higher education institutions,
 69.21 engaged in business development or economic development;

69.22 (2) community development financial institutions; or

69.23 (3) community development corporations.

69.24 (d) "Small business" has the meaning given in section 3 of the Small Business Act,
 69.25 United States Code, title 15, section 632.

69.26 (e) "Underserved populations and geographies" means individuals who are Black,
 69.27 Indigenous, people of color, veterans, people with disabilities, and low-income individuals
 69.28 and includes people from rural Minnesota.

69.29 Subd. 2. **Establishment.** The commissioner shall establish the small business assistance
 69.30 partnerships program to make grants to local and regional community-based organizations

70.1 to provide small business development and technical assistance services to entrepreneurs
 70.2 and small business owners.

70.3 Subd. 3. **Small business assistance partnerships grants.** (a) The commissioner shall
 70.4 make small business assistance partnerships grants to local and regional community-based
 70.5 organizations to provide small business development and technical assistance services to
 70.6 entrepreneurs and small business owners. The commissioner must prioritize applications
 70.7 that provide services to underserved populations and geographies.

70.8 (b) Grantees shall use the grant funds to provide high-quality, free or low-cost
 70.9 professional business development and technical assistance services that support the start-up,
 70.10 growth, and success of Minnesota's entrepreneurs and small business owners.

70.11 Subd. 4. **Report.** By January 31 of each year, partner organizations participating in the
 70.12 program must provide a report to the commissioner on the outcomes of the program,
 70.13 including but not limited to the number of entrepreneurs and small businesses served, number
 70.14 of hours of business assistance services provided, number of new businesses started, number
 70.15 of full-time equivalent jobs created and retained, and demographic and geographic details
 70.16 of the individuals being served.

70.17 Sec. 6. **[116J.8733] MINNESOTA EXPANDING OPPORTUNITY FUND PROGRAM.**

70.18 Subdivision 1. **Establishment.** The Minnesota Expanding Opportunity Fund Program
 70.19 is established to capitalize Minnesota nonprofit corporations to increase lending activities
 70.20 with Minnesota small businesses.

70.21 Subd. 2. **Long-term loans.** The department may make long-term loans of ten to 12 years
 70.22 at 0.5 percent or lower interest rates to nonprofit corporations to enable nonprofit corporations
 70.23 to make more loans to Minnesota small businesses. The department may use the interest
 70.24 received to offset the cost of administering small business lending programs.

70.25 Subd. 3. **Loan eligibility; nonprofit corporation.** (a) The eligible nonprofit corporation
 70.26 must not meet the definition of recipient under section 116J.993, subdivision 6.

70.27 (b) The commissioner may enter into loan agreements with Minnesota nonprofit
 70.28 corporations that apply to participate in the Minnesota Expanding Opportunity Fund Program.
 70.29 The commissioner shall evaluate applications from applicant nonprofit corporations. In
 70.30 evaluating applications, the department must consider, among other things, whether the
 70.31 nonprofit corporation:

71.1 (1) meets the statutory definition of a community development financial institution as
 71.2 defined in section 103 of the Riegle Community Development and Regulatory Improvement
 71.3 Act of 1994, United States Code, title 12, section 4702;

71.4 (2) has a board of directors or loan or credit committee that includes citizens experienced
 71.5 in small business services and community development;

71.6 (3) has the technical skills to analyze small business loan requests;

71.7 (4) is familiar with other available public and private funding sources and economic
 71.8 development programs;

71.9 (5) is enrolled in one or more eligible federally funded state programs; and

71.10 (6) has the administrative capacity to manage a loan portfolio.

71.11 Subd. 4. **Revolving loan fund.** (a) The commissioner shall establish a revolving loan
 71.12 fund to make loans to nonprofit corporations for the purpose of increasing nonprofit
 71.13 corporation capital and lending activities with Minnesota small businesses.

71.14 (b) Nonprofit corporations that receive loans from the commissioner under the program
 71.15 must establish appropriate accounting practices for the purpose of tracking eligible loans.

71.16 Subd. 5. **Loan portfolio administration.** (a) The interest rate charged by a nonprofit
 71.17 corporation for a loan under this subdivision must not exceed the Wall Street Journal prime
 71.18 rate plus two percent. A nonprofit corporation participating in the Minnesota Expanding
 71.19 Opportunity Fund Program may charge a loan closing fee equal to or less than two percent
 71.20 of the loan value.

71.21 (b) The nonprofit corporation may retain all earnings from fees and interest from loans
 71.22 to small businesses.

71.23 Subd. 6. **Cooperation.** A nonprofit corporation that receives a program loan shall
 71.24 cooperate with other organizations, including but not limited to community development
 71.25 corporations, community action agencies, and the Minnesota small business development
 71.26 centers.

71.27 Subd. 7. **Reporting requirements.** (a) A nonprofit corporation that receives a program
 71.28 loan must submit an annual report to the commissioner by February 15 of each year that
 71.29 includes:

71.30 (1) the number of businesses to which a loan was made;

71.31 (2) a description of businesses supported by the program;

- 72.1 (3) demographic information, as specified by the commissioner, regarding each borrower;
- 72.2 (4) an account of loans made during the calendar year;
- 72.3 (5) the program's impact on job creation and retention;
- 72.4 (6) the source and amount of money collected and distributed by the program;
- 72.5 (7) the program's assets and liabilities; and
- 72.6 (8) an explanation of administrative expenses.
- 72.7 (b) A nonprofit corporation that receives a program loan must provide for an independent
- 72.8 annual audit to be performed in accordance with generally accepted accounting practices
- 72.9 and auditing standards and submit a copy of each annual audit report to the commissioner.

72.10 Sec. 7. Minnesota Statutes 2022, section 116J.8748, subdivision 3, is amended to read:

72.11 Subd. 3. **Minnesota job creation fund business designation; requirements.** (a) To

72.12 receive designation as a Minnesota job creation fund business, a business must satisfy all

72.13 of the following conditions:

72.14 (1) the business is or will be engaged in, within Minnesota, one of the following as its

72.15 primary business activity:

72.16 (i) manufacturing;

72.17 (ii) warehousing;

72.18 (iii) distribution;

72.19 (iv) information technology;

72.20 (v) finance;

72.21 (vi) insurance; or

72.22 (vii) professional or technical services;

72.23 (2) the business must not be primarily engaged in lobbying; gambling; entertainment;

72.24 professional sports; political consulting; leisure; hospitality; or professional services provided

72.25 by attorneys, accountants, business consultants, physicians, or health care consultants, or

72.26 primarily engaged in making retail sales to purchasers who are physically present at the

72.27 business's location;

72.28 (3) the business must enter into a binding construction and job creation business subsidy

72.29 agreement with the commissioner to expend directly, or ensure expenditure by or in

72.30 partnership with a third party constructing or managing the project, at least \$500,000 in

73.1 capital investment in a capital investment project that includes a new, expanded, or remodeled
 73.2 facility within one year following designation as a Minnesota job creation fund business or
 73.3 \$250,000 if the project is located outside the metropolitan area as defined in section 200.02,
 73.4 subdivision 24, or if 51 percent of the business is cumulatively owned by minorities, veterans,
 73.5 women, or persons with a disability; and:

73.6 (i) create at least ten new full-time employee positions within two years of the benefit
 73.7 date following the designation as a Minnesota job creation fund business or five new full-time
 73.8 employee positions within two years of the benefit date if the project is located outside the
 73.9 metropolitan area as defined in section 200.02, subdivision 24, or if 51 percent of the business
 73.10 is cumulatively owned by minorities, veterans, women, or persons with a disability; or

73.11 (ii) expend at least \$25,000,000, which may include the installation and purchase of
 73.12 machinery and equipment, in capital investment and retain at least ~~200~~ 100 employees for
 73.13 projects located in the metropolitan area as defined in section 200.02, subdivision 24, ~~and~~
 73.14 75 or expend at least \$10,000,000, which may include the installation and purchase of
 73.15 machinery and equipment, in capital investment and retain at least 50 employees for projects
 73.16 located outside the metropolitan area;

73.17 (4) positions or employees moved or relocated from another Minnesota location of the
 73.18 Minnesota job creation fund business must not be included in any calculation or determination
 73.19 of job creation or new positions under this paragraph; and

73.20 (5) a Minnesota job creation fund business must not terminate, lay off, or reduce the
 73.21 working hours of an employee for the purpose of hiring an individual to satisfy job creation
 73.22 goals under this subdivision.

73.23 (b) Prior to approving the proposed designation of a business under this subdivision, the
 73.24 commissioner shall consider the following:

73.25 (1) the economic outlook of the industry in which the business engages;

73.26 (2) the projected sales of the business that will be generated from outside the state of
 73.27 Minnesota;

73.28 (3) how the business will build on existing regional, national, and international strengths
 73.29 to diversify the state's economy;

73.30 (4) whether the business activity would occur without financial assistance;

73.31 (5) whether the business is unable to expand at an existing Minnesota operation due to
 73.32 facility or land limitations;

74.1 (6) whether the business has viable location options outside Minnesota;

74.2 (7) the effect of financial assistance on industry competitors in Minnesota;

74.3 (8) financial contributions to the project made by local governments; and

74.4 (9) any other criteria the commissioner deems necessary.

74.5 (c) Upon receiving notification of local approval under subdivision 2, the commissioner
74.6 shall review the determination by the local government and consider the conditions listed
74.7 in paragraphs (a) and (b) to determine whether it is in the best interests of the state and local
74.8 area to designate a business as a Minnesota job creation fund business.

74.9 (d) If the commissioner designates a business as a Minnesota job creation fund business,
74.10 the business subsidy agreement shall include the performance outcome commitments and
74.11 the expected financial value of any Minnesota job creation fund benefits.

74.12 (e) The commissioner may amend an agreement once, upon request of a local government
74.13 on behalf of a business, only if the performance is expected to exceed thresholds stated in
74.14 the original agreement.

74.15 (f) A business may apply to be designated as a Minnesota job creation fund business at
74.16 the same location more than once only if all goals under a previous Minnesota job creation
74.17 fund agreement have been met and the agreement is completed.

74.18 Sec. 8. Minnesota Statutes 2022, section 116J.8748, subdivision 4, is amended to read:

74.19 Subd. 4. **Certification; benefits.** (a) The commissioner may certify a Minnesota job
74.20 creation fund business as eligible to receive a specific value of benefit under paragraphs (b)
74.21 and (c) when the business has achieved its job creation and capital investment goals noted
74.22 in its agreement under subdivision 3.

74.23 (b) A qualified Minnesota job creation fund business may be certified eligible for the
74.24 benefits in this paragraph for up to five years for projects located in the metropolitan area
74.25 as defined in section 200.02, subdivision 24, and seven years for projects located outside
74.26 the metropolitan area, as determined by the commissioner when considering the best interests
74.27 of the state and local area. Notwithstanding section 16B.98, subdivision 5, paragraph (a),
74.28 clause (3), or 16B.98, subdivision 5, paragraph (b), grant agreements for projects located
74.29 outside the metropolitan area may be for up to seven years in length. The eligibility for the
74.30 following benefits begins the date the commissioner certifies the business as a qualified
74.31 Minnesota job creation fund business under this subdivision:

75.1 (1) up to five percent rebate for projects located in the metropolitan area as defined in
75.2 section 200.02, subdivision 24, and 7.5 percent for projects located outside the metropolitan
75.3 area, on capital investment on qualifying purchases as provided in subdivision 5 with the
75.4 total rebate for a project not to exceed \$500,000;

75.5 (2) an award of up to \$500,000 based on full-time job creation and wages paid as provided
75.6 in subdivision 6 with the total award not to exceed \$500,000;

75.7 (3) up to \$1,000,000 in capital investment rebates and \$1,000,000 in job creation awards
75.8 are allowable for projects that have at least \$25,000,000 in capital investment and ~~200~~ 100
75.9 new employees in the metropolitan area as defined in section 200.02, subdivision 24, and
75.10 ~~75~~ 50 new employees for projects located outside the metropolitan area;

75.11 (4) up to \$1,000,000 in capital investment rebates and up to \$1,000,000 in job creation
75.12 awards are allowable for projects that have at least \$25,000,000 in capital investment, which
75.13 may include the installation and purchase of machinery and equipment, and ~~200~~ 100 retained
75.14 employees for projects located in the metropolitan area as defined in section 200.02,
75.15 subdivision 24, and ~~75~~ or at least \$10,000,000 in capital investment, which may include the
75.16 installation and purchase of machinery and equipment, and 50 retained employees for
75.17 projects located outside the metropolitan area; and

75.18 (5) for clauses (3) and (4) only, the capital investment expenditure requirements may
75.19 include the installation and purchases of machinery and equipment. These expenditures are
75.20 not eligible for the capital investment rebate provided under subdivision 5.

75.21 (c) The job creation award may be provided in multiple years as long as the qualified
75.22 Minnesota job creation fund business continues to meet the job creation goals provided for
75.23 in its agreement under subdivision 3 and the total award does not exceed \$500,000 except
75.24 as provided under paragraph (b), clauses (3) and (4). Under paragraph (b) clause (4), a job
75.25 creation award of \$2,000 per retained job may be provided one time if the qualified Minnesota
75.26 job creation fund business meets the minimum capital investment and retained employee
75.27 requirement as provided in paragraph (b), clause (4), for at least two years.

75.28 (d) No rebates or award may be provided until the Minnesota job creation fund business
75.29 or a third party constructing or managing the project has at least \$500,000 in capital
75.30 investment in the project and at least ten full-time jobs have been created and maintained
75.31 for at least one year or the retained employees, as provided in paragraph (b), clause (4),
75.32 remain for at least one year. The agreement may require additional performance outcomes
75.33 that need to be achieved before rebates and awards are provided. If fewer retained jobs are

76.1 maintained, but still above the minimum under this subdivision, the capital investment
76.2 award shall be reduced on a proportionate basis.

76.3 (e) The forms needed to be submitted to document performance by the Minnesota job
76.4 creation fund business must be in the form and be made under the procedures specified by
76.5 the commissioner. The forms shall include documentation and certification by the business
76.6 that it is in compliance with the business subsidy agreement, sections 116J.871 and 116L.66,
76.7 and other provisions as specified by the commissioner.

76.8 (f) Minnesota job creation fund businesses must pay each new full-time employee added
76.9 pursuant to the agreement total compensation, including benefits not mandated by law, that
76.10 on an annualized basis is equal to at least 110 percent of the federal poverty level for a
76.11 family of four.

76.12 (g) A Minnesota job creation fund business must demonstrate reasonable progress on
76.13 capital investment expenditures within six months following designation as a Minnesota
76.14 job creation fund business to ensure that the capital investment goal in the agreement under
76.15 subdivision 1 will be met. Businesses not making reasonable progress will not be eligible
76.16 for benefits under the submitted application and will need to work with the local government
76.17 unit to resubmit a new application and request to be a Minnesota job creation fund business.
76.18 Notwithstanding the goals noted in its agreement under subdivision 1, this action shall not
76.19 be considered a default of the business subsidy agreement.

76.20 Sec. 9. Minnesota Statutes 2022, section 116J.8748, subdivision 6, is amended to read:

76.21 Subd. 6. **Job creation award.** (a) A qualified Minnesota job creation fund business is
76.22 eligible for an annual award for each new job created and maintained under subdivision 4,
76.23 paragraph (b), clauses (2) and (3), by the business using the following schedule: \$1,000 for
76.24 each job position paying annual wages at least \$26,000 but less than \$35,000; \$2,000 for
76.25 each job position paying at least \$35,000 but less than \$45,000; ~~and~~ \$3,000 for each job
76.26 position paying at least \$45,000 but less than \$55,000; and \$4,000 for each job position
76.27 paying at least \$55,000; and as noted in the goals under the agreement provided under
76.28 subdivision 1. These awards are increased by \$1,000 if the business is located outside the
76.29 metropolitan area as defined in section 200.02, subdivision 24, or if 51 percent of the business
76.30 is cumulatively owned by minorities, veterans, women, or persons with a disability.

76.31 (b) A qualified Minnesota job creation fund business is eligible for a onetime \$2,000
76.32 award for each job retained and maintained under subdivision 4, paragraph (b), clause (4),
76.33 provided that each retained job pays total compensation, including benefits not mandated

77.1 by law, that on an annualized basis is equal to at least 150 percent of the federal poverty
 77.2 level for a family of four.

77.3 ~~(b)~~ (c) The job creation award schedule must be adjusted annually using the percentage
 77.4 increase in the federal poverty level for a family of four.

77.5 ~~(e)~~ (d) Minnesota job creation fund businesses seeking an award credit provided under
 77.6 subdivision 4 must submit forms and applications to the Department of Employment and
 77.7 Economic Development as prescribed by the commissioner.

77.8 Sec. 10. Minnesota Statutes 2022, section 116J.8748, is amended by adding a subdivision
 77.9 to read:

77.10 Subd. 6a. **Transfer.** The commissioner may transfer up to \$2,000,000 of a fiscal year
 77.11 appropriation between the Minnesota job creation fund program and the redevelopment
 77.12 grant program to meet business demand.

77.13 Sec. 11. **[116J.8751] LAUNCH MINNESOTA.**

77.14 Subdivision 1. **Establishment.** Launch Minnesota is established within the Business
 77.15 and Community Development Division of the Department of Employment and Economic
 77.16 Development to encourage and support the development of new private sector technologies
 77.17 and support the science and technology policies under section 3.222. Launch Minnesota
 77.18 must provide entrepreneurs and emerging technology-based companies business development
 77.19 assistance and financial assistance to spur growth.

77.20 Subd. 2. **Definitions.** (a) For purposes of this section, the terms defined in this subdivision
 77.21 have the meanings given.

77.22 (b) "Advisory board" means the board established under subdivision 10.

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

77.24 (d) "Department" means the Department of Employment and Economic Development.

77.25 (e) "Entrepreneur" means a Minnesota resident who is involved in establishing a business
 77.26 entity and secures resources directed to its growth while bearing the risk of loss.

77.27 (f) "Greater Minnesota" means the area of Minnesota located outside of the metropolitan
 77.28 area as defined in section 473.121, subdivision 2.

77.29 (g) "Innovative technology and business" means a new novel business model or product;
 77.30 a derivative product incorporating new elements into an existing product; a new use for a
 77.31 product; or a new process or method for the manufacture, use, or assessment of any product

78.1 or activity, patentability, or scalability. Innovative technology or business model does not
78.2 include locally based retail, lifestyle, or business services. The business must not be primarily
78.3 engaged in real estate development, insurance, banking, lending, lobbying, political
78.4 consulting, information technology consulting, wholesale or retail trade, leisure, hospitality,
78.5 transportation, construction, ethanol production from corn, or professional services provided
78.6 by attorneys, accountants, business consultants, physicians, or health care consultants.

78.7 (h) "Institution of higher education" has the meaning given in section 136A.28,
78.8 subdivision 6.

78.9 (i) "Minority group member" means a United States citizen or lawful permanent resident
78.10 who is Asian, Pacific Islander, Black, Hispanic, or Native American.

78.11 (j) "Research and development" means any activity that is:

78.12 (1) a systematic, intensive study directed toward greater knowledge or understanding
78.13 of the subject studies;

78.14 (2) a systematic study directed specifically toward applying new knowledge to meet a
78.15 recognized need; or

78.16 (3) a systematic application of knowledge toward the production of useful materials,
78.17 devices, systems and methods, including design, development and improvement of prototypes
78.18 and new processes to meet specific requirements.

78.19 (k) "Start-up" means a business entity that has been in operation for less than ten years,
78.20 has operations in Minnesota, and is in the development stage defined as devoting substantially
78.21 all of its efforts to establishing a new business and either of the following conditions exists:

78.22 (1) planned principal operations have not commenced; or

78.23 (2) planned principal operations have commenced, but have raised at least \$1,000,000
78.24 in equity financing.

78.25 (l) "Technology-related assistance" means the application and utilization of
78.26 technological-information and technologies to assist in the development and production of
78.27 new technology-related products or services or to increase the productivity or otherwise
78.28 enhance the production or delivery of existing products or services.

78.29 (m) "Trade association" means a nonprofit membership organization organized to promote
78.30 businesses and business conditions and having an election under Internal Revenue Code
78.31 section 501(c)(3) or 501(c)(6).

78.32 (n) "Veteran" has the meaning given in section 197.447.

79.1 Subd. 3. **Duties.** The commissioner, by and through Launch Minnesota, shall:

79.2 (1) support innovation and initiatives designed to accelerate the growth of innovative
79.3 technology and business start-ups in Minnesota;

79.4 (2) in partnership with other organizations, offer classes and instructional sessions on
79.5 how to start an innovative technology and business start-up;

79.6 (3) promote activities for entrepreneurs and investors regarding the state's growing
79.7 innovation economy;

79.8 (4) hold events and meetings that gather key stakeholders in the state's innovation sector;

79.9 (5) conduct outreach and education on innovation activities and related financial programs
79.10 available from the department and other organizations, particularly for underserved
79.11 communities;

79.12 (6) interact and collaborate with statewide partners including but not limited to businesses,
79.13 nonprofits, trade associations, and higher education institutions;

79.14 (7) administer an advisory board to assist with direction, grant application review,
79.15 program evaluation, report development, and partnerships;

79.16 (8) accept grant applications under subdivisions 5, 6, and 7 and work with the advisory
79.17 board to review and prioritize the applications and provide recommendations to the
79.18 commissioner; and

79.19 (9) perform other duties at the commissioner's discretion.

79.20 Subd. 4. **Administration.** (a) The executive director shall:

79.21 (1) assist the commissioner and the advisory board in performing the duties of Launch
79.22 Minnesota; and

79.23 (2) comply with all state and federal program requirements, and all state and federal
79.24 securities and tax laws and regulations.

79.25 (b) Launch Minnesota may occupy and lease physical space in a private coworking
79.26 facility that includes office space for staff and space for community engagement for training
79.27 entrepreneurs. The physical space leased under this paragraph is exempt from the
79.28 requirements in section 16B.24, subdivision 6.

79.29 (c) At least three times per month, Launch Minnesota staff shall communicate with
79.30 organizations in greater Minnesota that have received a grant under subdivision 7. To the

80.1 extent possible, Launch Minnesota shall form partnerships with organizations located
80.2 throughout the state.

80.3 (d) Launch Minnesota must accept grant applications under this section and provide
80.4 funding recommendations to the commissioner and the commissioner shall distribute grants
80.5 based in part on the recommendations.

80.6 Subd. 5. **Application process.** (a) The commissioner shall establish the application form
80.7 and procedures for grants.

80.8 (b) Upon receiving recommendations from Launch Minnesota, the commissioner is
80.9 responsible for evaluating all applications using evaluation criteria which shall be developed
80.10 by Launch Minnesota in consultation with the advisory board.

80.11 (c) For grants under subdivision 6, priority shall be given if the applicant is:

80.12 (1) a business or entrepreneur located in greater Minnesota; or

80.13 (2) a business owner, individual with a disability, or entrepreneur who is a woman,
80.14 veteran, or minority group member.

80.15 (d) For grants under subdivision 7, priority shall be given if the applicant is planning to
80.16 serve:

80.17 (1) businesses or entrepreneurs located in greater Minnesota; or

80.18 (2) business owners, individuals with disabilities, or entrepreneurs who are women,
80.19 veterans, or minority group members.

80.20 (e) The department staff, and not Launch Minnesota staff, are responsible for awarding
80.21 funding, disbursing funds, and monitoring grantee performance for all grants awarded under
80.22 this section.

80.23 (f) Grantees must provide matching funds by equal expenditures and grant payments
80.24 must be provided on a reimbursement basis after review of submitted receipts by the
80.25 department.

80.26 (g) Grant applications must be accepted on a regular periodic basis by Launch Minnesota
80.27 and must be reviewed by Launch Minnesota and the advisory board before being submitted
80.28 to the commissioner with their recommendations.

80.29 Subd. 6. **Innovation grants.** (a) The commissioner shall distribute innovation grants
80.30 under this subdivision.

81.1 (b) The commissioner shall provide a grant of up to \$35,000 to an eligible business or
 81.2 entrepreneur for research and development expenses, direct business expenses, and the
 81.3 purchase of technical assistance or services from public higher education institutions and
 81.4 nonprofit entities. Research and development expenditures may include but are not limited
 81.5 to proof of concept activities, intellectual property protection, prototype designs and
 81.6 production, and commercial feasibility. Expenditures funded under this subdivision are not
 81.7 eligible for the research and development tax credit under section 290.068. Direct business
 81.8 expenses may include rent, equipment purchases, and supplier invoices. Taxes imposed by
 81.9 federal, state, or local government entities may not be reimbursed under this paragraph.
 81.10 Technical assistance or services must be purchased to assist in the development or
 81.11 commercialization of a product or service to be eligible. Each business or entrepreneur may
 81.12 receive only one grant per biennium under this paragraph.

81.13 (c) The commissioner shall provide a grant of up to \$35,000 in Phase 1 or \$50,000 in
 81.14 Phase 2 to an eligible business or entrepreneur that, as a registered client of the Small
 81.15 Business Innovation Research (SBIR) program, has been awarded a first time Phase 1 or
 81.16 Phase 2 award pursuant to the SBIR or Small Business Technology Transfer (STTR)
 81.17 programs after July 1, 2019. Each business or entrepreneur may receive only one grant per
 81.18 biennium under this paragraph. Grants under this paragraph are not subject to the
 81.19 requirements of subdivision 2, paragraph (k).

81.20 Subd. 7. **Entrepreneur education grants.** (a) The commissioner shall make entrepreneur
 81.21 education grants to institutions of higher education and other organizations to provide
 81.22 educational programming to entrepreneurs and provide outreach to and collaboration with
 81.23 businesses, federal and state agencies, institutions of higher education, trade associations,
 81.24 and other organizations working to advance innovative technology businesses throughout
 81.25 Minnesota.

81.26 (b) Applications for entrepreneur education grants under this subdivision must be
 81.27 submitted to the commissioner and evaluated by department staff other than Launch
 81.28 Minnesota. The evaluation criteria must be developed by Launch Minnesota, in consultation
 81.29 with the advisory board, and the commissioner, and priority must be given to an applicant
 81.30 who demonstrates activity assisting business owners or entrepreneurs residing in greater
 81.31 Minnesota or who are women, veterans, or minority group members.

81.32 (c) Department staff other than Launch Minnesota staff are responsible for awarding
 81.33 funding, disbursing funds, and monitoring grantee performance under this subdivision.

81.34 (d) Grantees may use the grant funds to deliver the following services:

82.1 (1) development and delivery to innovative technology businesses of industry specific
 82.2 or innovative product or process specific counseling on issues of business formation, market
 82.3 structure, market research and strategies, securing first mover advantage or overcoming
 82.4 barriers to entry, protecting intellectual property, and securing debt or equity capital. This
 82.5 counseling is to be delivered in a classroom setting or using distance media presentations;

82.6 (2) outreach and education to businesses and organizations on the small business
 82.7 investment tax credit program under section 116J.8737, the MNvest crowd-funding program
 82.8 under section 80A.461, and other state programs that support innovative technology business
 82.9 creation especially in underserved communities;

82.10 (3) collaboration with institutions of higher education, local organizations, federal and
 82.11 state agencies, the Small Business Development Center, and the Small Business Assistance
 82.12 Office to create and offer educational programming and ongoing counseling in greater
 82.13 Minnesota that is consistent with those services offered in the metropolitan area; and

82.14 (4) events and meetings with other innovation-related organizations to inform
 82.15 entrepreneurs and potential investors about Minnesota's growing innovation economy.

82.16 Subd. 8. **Report.** (a) Launch Minnesota shall annually report by December 31 to the
 82.17 chairs and ranking minority members of the committees of the house of representatives and
 82.18 senate having jurisdiction over economic development policy and finance. Each report shall
 82.19 include information on the work completed, including awards made by the department under
 82.20 this section and progress toward transferring the activities of Launch Minnesota to an entity
 82.21 outside of state government.

82.22 (b) By December 31, 2024, Launch Minnesota shall provide a comprehensive transition
 82.23 plan to the chairs and ranking minority members of the committees of the house of
 82.24 representatives and senate having jurisdiction over economic development policy and
 82.25 finance. The transition plan shall include: (1) a detailed strategy for the transfer of Launch
 82.26 Minnesota activities to an entity outside of state government; (2) the projected date of the
 82.27 transfer; and (3) the role of the state, if any, in ongoing activities of Launch Minnesota or
 82.28 its successor entity.

82.29 Subd. 9. **Advisory board.** (a) The commissioner shall establish an advisory board to
 82.30 advise the executive director regarding the activities of Launch Minnesota, make the
 82.31 recommendations described in this section, and develop and initiate a strategic plan for
 82.32 transferring some activities of Launch Minnesota to a new or existing public-private
 82.33 partnership or nonprofit organization outside of state government.

83.1 (b) The advisory board shall consist of ten members and is governed by section 15.059.
 83.2 A minimum of seven members must be from the private sector representing business and
 83.3 at least two members but no more than three members must be from government and higher
 83.4 education. At least three of the members of the advisory board shall be from greater
 83.5 Minnesota and at least three members shall be minority group members. Appointees shall
 83.6 represent a range of interests, including entrepreneurs, large businesses, industry
 83.7 organizations, investors, and both public and private small business service providers.

83.8 (c) The advisory board shall select a chair from its private sector members. The executive
 83.9 director shall provide administrative support to the committee.

83.10 (d) The commissioner, or a designee, shall serve as an ex-officio, nonvoting member of
 83.11 the advisory board.

83.12 **Sec. 12. [116J.8752] MINNESOTA FORWARD FUND.**

83.13 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
 83.14 have the meanings given.

83.15 (b) "Agreement" or "business subsidy agreement" means a business subsidy agreement
 83.16 under section 116J.994 that must include but is not limited to specification of the duration
 83.17 of the agreement, job goals and a timeline for achieving those goals over the duration of
 83.18 the agreement, construction and other investment goals and a timeline for achieving those
 83.19 goals over the duration of the agreement, and the value of benefits the firm may receive
 83.20 following achievement of capital investment and employment goals. The municipality, local
 83.21 unit of government, or business must report to the commissioner on the business performance
 83.22 using the forms developed by the commissioner.

83.23 (c) "Business" means an individual, corporation, partnership, limited liability company,
 83.24 association, or other business entity.

83.25 (d) "Capital investment" means money that is expended for the purpose of building or
 83.26 improving real fixed property where employees are or will be employed, equipment and
 83.27 machinery in the building, and operating expenses related to the building.

83.28 (e) "Commissioner" means the commissioner of employment and economic development.

83.29 (f) "Fund" means the Minnesota forward fund.

83.30 Subd. 2. **Minnesota forward fund account.** The Minnesota forward fund account is
 83.31 created as a separate account in the treasury. Money in the account is appropriated to the
 83.32 commissioner of employment and economic development for the purposes of this section.

84.1 All money earned by the account, loan repayments of principal, and interest must be credited
 84.2 to the account. The commissioner shall operate the account as a revolving account.

84.3 Subd. 3. Purpose. The Minnesota forward fund is created to increase the state's
 84.4 competitiveness by providing the state the authority and flexibility to facilitate private
 84.5 investment. The fund serves as a closing fund to allow the authority and flexibility to
 84.6 negotiate incentives to better compete with other states for business retention, expansion
 84.7 and attraction of projects in existing and new industries, develop properties for business
 84.8 use, and leverage to meet matching requirements of federal funding for resiliency in economic
 84.9 security and economic enhancement opportunities that provide the public high-quality
 84.10 employment opportunities. The commissioner shall use money appropriated to the fund to:

84.11 (1) create and retain permanent private-sector jobs in order to create above-average
 84.12 economic growth consistent with environmental protection;

84.13 (2) stimulate or leverage private investment to ensure economic renewal and
 84.14 competitiveness;

84.15 (3) increase the local tax base, based on demonstrated measurable outcomes, to guarantee
 84.16 a diversified industry mix;

84.17 (4) improve the quality of existing jobs, based on increases in wages or improvements
 84.18 in the job duties, training, or education associated with those jobs;

84.19 (5) improve employment and economic opportunity for citizens in the region to create
 84.20 a reasonable standard of living, consistent with federal and state guidelines on low- to
 84.21 moderate-income persons;

84.22 (6) stimulate productivity growth through improved manufacturing or new technologies;
 84.23 and

84.24 (7) match or leverage private or public funding to increase investment and opportunity
 84.25 in the state.

84.26 Subd. 4. Use of fund. The commissioner may use money in the fund to make grants,
 84.27 loans and forgivable loans, to businesses that are making large private capital investments
 84.28 in existing and new industries. The commissioner may also use money in the fund to make
 84.29 grants to communities and higher education institutions to support such capital investments
 84.30 and related activities to support the industries. Money may be used to address capital needs
 84.31 of businesses for machinery and equipment purchases; building construction and remodeling;
 84.32 land development; water and sewer lines, roads, rail lines, and natural gas and electric
 84.33 infrastructure; working capital; and workforce training. Money may also be used for matching

85.1 federal grants for research and development projects and industry workforce training grants
85.2 for existing and new industries that require state and local match. Money in the fund may
85.3 also be used for administration and monitoring of the program and to pay for the costs of
85.4 carrying out the commissioner's due diligence duties under this section.

85.5 Subd. 5. **Grant limits.** (a) Individual business expansion projects are limited to no more
85.6 than \$20,000,000 in grants or loans combined. The commissioner shall not be precluded
85.7 from using other funding sources from the Department of Employment and Economic
85.8 Development to facilitate a project. Total funding per business under this section shall not
85.9 exceed \$20,000,000, of which no more than \$10,000,000 may be grants and \$10,000,000
85.10 may be loans.

85.11 (b) The commissioner may use money in the fund to make grants to a municipality or
85.12 local unit of government for public and private infrastructure needed to support an eligible
85.13 project under this section. Grant money may be used by the municipality or local unit of
85.14 government to predesign, design, construct, and equip roads and rail lines; acquire and
85.15 prepare land for development; and, in cooperation with municipal utilities, to predesign,
85.16 design, construct, and equip natural gas pipelines, electric infrastructure, water supply
85.17 systems, and wastewater collection and treatment systems. The maximum grant award per
85.18 local unit of government under this section is \$10,000,000.

85.19 (c) The commissioner may use money in the fund to make grants to institutions of higher
85.20 education for developing and deploying training programs and to increase the capacity of
85.21 the institution to serve industrial requirements for research and development that coincide
85.22 with current and future requirements of projects eligible under this section. Grant money
85.23 may be used to construct and equip facilities that serve the purpose of the industry. The
85.24 maximum grant award per institution of higher education under this section is \$5,000,000
85.25 and may not represent more than 33 percent of the total project funding from other sources.

85.26 (d) Grants under this subdivision are available until expended.

85.27 Subd. 6. **Administration.** (a) Eligible applicants for the state-funded portion of the fund
85.28 also include development authorities as defined in section 116J.552, subdivision 4, provided
85.29 that the governing body of the municipality approves, by resolution, the application of the
85.30 development authority. Institutions of higher education also constitute eligible applicants
85.31 for the purpose of developing and deploying workforce training programs and for developing
85.32 and deploying research and development partnerships for projects eligible under this section.

86.1 (b) The business, municipality, or local unit of government must request and submit an
86.2 application to the commissioner. Applications must be in the form and procedure specified
86.3 by the commissioner.

86.4 (c) The commissioner must conduct due diligence, including contracting with
86.5 professionals as needed to assist in the due diligence.

86.6 (d) Notwithstanding any other law to the contrary, grant and loan agreements through
86.7 the Minnesota forward fund may exceed five years but not more than ten years.

86.8 Subd. 7. Requirements prior to committing funds. Prior to the commissioner making
86.9 a commitment for grant or loan under this section, the Legislative Advisory Commission
86.10 and governor must jointly provide written authorization. The commissioner shall provide
86.11 a written report to the Legislative Advisory Commission and governor, including but not
86.12 limited to the purpose of the award, the project overview, financial details, and the
86.13 performance requirements required 14 days prior to any meeting or decision.

86.14 Subd. 8. Eligible projects. (a) The governor and the Legislative Advisory Commission
86.15 must evaluate applications under this section on the existence of one or more of the following
86.16 conditions:

86.17 (1) creation of new jobs, retention of existing jobs, or improvements in the quality of
86.18 existing jobs as measured by the wages, skills, or education associated with those jobs;

86.19 (2) whether the project can demonstrate that investment of public dollars induces private
86.20 and other public funds as follows;

86.21 (i) businesses in the seven-county metropolitan area must invest more than \$40,000,000
86.22 in capital expenditures and create at least 70 jobs or retain at least 150 jobs;

86.23 (ii) businesses outside of the seven-county metropolitan area must invest more than
86.24 \$25,000,000 in capital expenditures and create at least 40 new jobs or retain at least 75 jobs;
86.25 and

86.26 (iii) cash wages of each new employee must exceed 120 percent of federal poverty
86.27 guidelines for a family of four, adjusted annually;

86.28 (3) whether the project can demonstrate an excessive public infrastructure or improvement
86.29 cost beyond the means of the affected community and private participants in the project;

86.30 (4) whether assistance is necessary to retain existing business or whether assistance is
86.31 necessary to attract out-of-state business;

87.1 (5) the project promotes or advances an industry in which the federal government is
 87.2 making large investments to strengthen domestic production and supply chains that are
 87.3 resilient for economic security and economic enhancement opportunities;

87.4 (6) the project promotes or advances the green economy as defined in section 116J.437;

87.5 (7) the project requires state resources beyond the capability of existing programs at the
 87.6 department and by its significance, requires the governor and legislature's involvement; and

87.7 (8) written support from the municipality or local unit of government in which the project
 87.8 will be located.

87.9 (b) The governor and the Legislative Advisory Commission shall submit applications
 87.10 recommended for funding to the commissioner.

87.11 **Subd. 9. Requirements for fund disbursements.** Disbursements of loan funds pursuant
 87.12 to a commitment may not be made until:

87.13 (1) commitments for the remainder of a project's funding are made that are satisfactory
 87.14 to the commissioner and disbursements made from the other commitments are sufficient to
 87.15 protect the interests of the state in its grant or loan;

87.16 (2) performance requirements are met, if any;

87.17 (3) the municipality or local unit of government in which the project will be located has
 87.18 passed a resolution of support for the project and submitted this resolution of support to the
 87.19 department; and

87.20 (4) all of a project's funding is satisfactory to the commissioner and disbursements made
 87.21 from other commitments are sufficient to protect the interests of the state.

87.22 **Subd. 10. Reporting.** The commissioner shall provide the Legislative Advisory
 87.23 Commission and the ranking members of the committees with jurisdiction over economic
 87.24 development with an annual report on all projects that have been approved by February 15
 87.25 of each year until this section is repealed or the funding has been exhausted.

87.26 Sec. 13. Minnesota Statutes 2022, section 116L.361, subdivision 7, is amended to read:

87.27 Subd. 7. **Very Low income.** "Very Low income" means incomes that are at or less than
 87.28 ~~50~~ 80 percent of the area median income, adjusted for family size, as estimated by the
 87.29 Department of Housing and Urban Development.

88.1 Sec. 14. Minnesota Statutes 2022, section 116L.362, subdivision 1, is amended to read:

88.2 Subdivision 1. **Generally.** (a) The commissioner shall make grants to eligible
 88.3 organizations for programs to provide education and training services to targeted youth.
 88.4 The purpose of these programs is to provide specialized training and work experience for
 88.5 targeted youth who have not been served effectively by the current educational system. The
 88.6 programs are to include a work experience component with work projects that result in the
 88.7 rehabilitation, improvement, or construction of (1) residential units for the homeless; (2)
 88.8 improvements to the energy efficiency and environmental health of residential units and
 88.9 other green jobs purposes; (3) facilities to support community garden projects; or (4)
 88.10 education, social service, or health facilities which are owned by a public agency or a private
 88.11 nonprofit organization.

88.12 (b) Eligible facilities must principally provide services to homeless or ~~very~~ low income
 88.13 individuals and families, and include the following:

- 88.14 (1) Head Start or day care centers, including playhouses or similar incidental structures;
- 88.15 (2) homeless, battered women, or other shelters;
- 88.16 (3) transitional housing and tiny houses;
- 88.17 (4) youth or senior citizen centers;
- 88.18 (5) community health centers; and
- 88.19 (6) community garden facilities.

88.20 Two or more eligible organizations may jointly apply for a grant. The commissioner
 88.21 shall administer the grant program.

88.22 Sec. 15. Minnesota Statutes 2022, section 116L.364, subdivision 3, is amended to read:

88.23 Subd. 3. **Work experience component.** A work experience component must be included
 88.24 in each program. The work experience component must provide vocational skills training
 88.25 in an industry where there is a viable expectation of job opportunities. A training subsidy,
 88.26 living allowance, or stipend, not to exceed an amount equal to 100 percent of the poverty
 88.27 line for a family of two as defined in ~~United States Code, title 42, section 673, paragraph~~
 88.28 ~~(2)~~ the final rules and regulations of the Workforce Innovation and Opportunity Act, may
 88.29 be provided to program participants. The wage or stipend must be provided to participants
 88.30 who are recipients of public assistance in a manner or amount which will not reduce public
 88.31 assistance benefits. The work experience component must be designed so that work projects
 88.32 result in (1) the expansion or improvement of residential units for homeless persons and

89.1 ~~very~~ low income families; (2) improvements to the energy efficiency and environmental
 89.2 health of residential units; (3) facilities to support community garden projects; or (4)
 89.3 rehabilitation, improvement, or construction of eligible education, social service, or health
 89.4 facilities that principally serve homeless or ~~very~~ low income individuals and families. Any
 89.5 work project must include direct supervision by individuals skilled in each specific vocation.
 89.6 Program participants may earn credits toward the completion of their secondary education
 89.7 from their participation in the work experience component.

89.8 Sec. 16. [116L.43] TARGETED POPULATIONS WORKFORCE GRANTS.

89.9 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
 89.10 the meanings given.

89.11 (b) "Entry level jobs" means part-time or full-time jobs that an individual can perform
 89.12 without any prior education or experience.

89.13 (c) "High wage" means the income needed for a family to cover minimum necessary
 89.14 expenses in a given area, including food, child care, health care, housing, and transportation.

89.15 (d) "Industry specific certification" means a credential an individual can earn to show
 89.16 proficiency in a particular area or skill.

89.17 (e) "Remedial training" means additional training provided to staff following the
 89.18 identification of a need intended to increase proficiency in performing job tasks.

89.19 (f) "Small business" has the same meaning as section 645.445.

89.20 (g) "Workforce development community-based organization" means a nonprofit
 89.21 organization with under \$1,000,000 in annual revenue that performs workforce development
 89.22 activities.

89.23 Subd. 2. Job and entrepreneurial skills training grants. (a) The commissioner shall
 89.24 establish a job and entrepreneurial skills training grant program that must provide competitive
 89.25 funding to organizations to provide skills training that leads to employment or business
 89.26 development in high-growth industries.

89.27 (b) Grants must be used to provide skills training including:

89.28 (1) student tutoring and testing support services;

89.29 (2) training and employment placement in high-wage and high-growth employment;

89.30 (3) assistance in obtaining industry specific certifications;

89.31 (4) remedial training leading to enrollment;

- 90.1 (5) real-time work experience or on-the-job training;
- 90.2 (6) career and educational counseling;
- 90.3 (7) work experience and internships;
- 90.4 (8) supportive services;
- 90.5 (9) tuition reimbursement for new entrants into public sector careers;
- 90.6 (10) career mentorship;
- 90.7 (11) postprogram case management services;
- 90.8 (12) job placement services; and
- 90.9 (13) the cost of corporate board of director training for people of color.
- 90.10 (c) The commissioner must award grants to community-based organizations meeting
 90.11 the following criteria:
- 90.12 (1) the organization's primary operations are located in communities of color;
- 90.13 (2) 80 percent of the organization's participants reflect the demographics of the
 90.14 community; and
- 90.15 (3) the organization's community has a high unemployment rate or poverty rate.
- 90.16 (d) Grant awards must not exceed \$750,000 per year per organization and all funding
 90.17 awards must be made for the duration of a biennium. An organization may partner with
 90.18 another organization to utilize grant awards, provided that the organizations must not be
 90.19 funded to deliver the same services. Grants awarded under this subdivision are not subject
 90.20 to section 116L.98.
- 90.21 **Subd. 3. Diversity and inclusion training for small employers.** (a) The commissioner
 90.22 shall establish a diversity and inclusion training grant program which shall provide
 90.23 competitive grants to businesses that commit to actively engage, hire, and retain people of
 90.24 color for both entry level and high-wage opportunities.
- 90.25 (b) Grant awards must not exceed \$300,000 per year per business. A business may only
 90.26 receive one grant for diversity and inclusion training per biennium.
- 90.27 (c) Grant funds must be used to train small businesses in outreach, recruitment, and
 90.28 retention of entry-level, mid-level, and senior-level management and a board of directors.
 90.29 Grant recipients are required to submit a plan for use of the funds and an implementation
 90.30 plan after training is completed.

91.1 (d) Grants awarded under this subdivision are not subject to section 116L.98.

91.2 Subd. 4. **Capacity building.** (a) The commissioner shall establish a capacity building
 91.3 grant program to provide training services and funding to small workforce development
 91.4 community-based organizations.

91.5 (b) Eligible organizations include nonprofit organizations that have:

91.6 (1) primary offices located in low-income communities;

91.7 (2) an annual client service base of over 80 percent of people of color; and

91.8 (3) an annual budget of less than \$1,000,000.

91.9 (c) Eligible uses of grant awards include covering the cost of workforce program delivery
 91.10 staff, program infrastructure costs, and workforce training related service model development.

91.11 (d) Grant awards must not exceed \$50,000 per organization and are limited to one grant
 91.12 per organization.

91.13 (e) Grants awarded under this subdivision are not subject to section 116L.98.

91.14 (f) By January 15, 2025, and each January 15 thereafter, the commissioner must submit
 91.15 a report to the chairs and ranking minority members of the committees of the house of
 91.16 representatives and the senate having jurisdiction over workforce development that details
 91.17 the use of grant awards. If data is available, the report must contain data that is disaggregated
 91.18 by race, cultural groups, family income, age, geographical location, migrant or foreign
 91.19 immigrant status, primary language, whether the participant is an English learner under
 91.20 section 124D.59, disability, and status of homelessness.

91.21 Sec. 17. Minnesota Statutes 2022, section 116L.56, subdivision 2, is amended to read:

91.22 Subd. 2. **Eligible applicant.** "Eligible applicant" means an individual who is between
 91.23 the ages of 14 and ~~21~~ 24 and economically disadvantaged.

91.24 An at-risk youth who is classified as a family of one is deemed economically
 91.25 disadvantaged. For purposes of eligibility determination the following individuals are
 91.26 considered at risk:

91.27 (1) a pregnant or parenting youth;

91.28 (2) a youth with limited English proficiency;

91.29 (3) a potential or actual school dropout;

91.30 (4) a youth in an offender or diversion program;

- 92.1 (5) a public assistance recipient or a recipient of group home services;
- 92.2 (6) a youth with disabilities including learning disabilities;
- 92.3 (7) a child of drug or alcohol abusers or a youth with substance use disorder;
- 92.4 (8) a homeless or runaway youth;
- 92.5 (9) a youth with basic skills deficiency;
- 92.6 (10) a youth with an educational attainment of one or more levels below grade level
- 92.7 appropriate to age; or
- 92.8 (11) a foster child.

92.9 Sec. 18. Minnesota Statutes 2022, section 116L.561, subdivision 5, is amended to read:

92.10 Subd. 5. **Allocation formula.** Seventy percent of Minnesota youth program funds must

92.11 be allocated based on the county's share of economically disadvantaged youth. The remaining

92.12 30 percent must be allocated based on the county's share of population ages 14 to ~~21~~ 24.

92.13 Sec. 19. Minnesota Statutes 2022, section 116L.562, subdivision 2, is amended to read:

92.14 Subd. 2. **Definitions.** For purposes of this section:

92.15 (1) "eligible organization" or "eligible applicant" means a local government unit, nonprofit

92.16 organization, community action agency, or a public school district;

92.17 (2) "at-risk youth" means youth classified as at-risk under section 116L.56, subdivision

92.18 2; and

92.19 (3) "economically disadvantaged" means youth who are economically disadvantaged as

92.20 defined in ~~United States Code, title 29, section 1503~~ the rules and regulations of the

92.21 Workforce Innovation and Opportunity Act.

92.22 Sec. 20. Minnesota Statutes 2022, section 469.40, subdivision 11, is amended to read:

92.23 Subd. 11. **Public infrastructure project.** (a) "Public infrastructure project" means a

92.24 project financed in part or in whole with public money in order to support the medical

92.25 business entity's development plans, as identified in the DMCC development plan. A public

92.26 infrastructure project may:

92.27 (1) acquire real property and other assets associated with the real property;

92.28 (2) demolish, repair, or rehabilitate buildings;

93.1 (3) remediate land and buildings as required to prepare the property for acquisition or
93.2 development;

93.3 (4) install, construct, or reconstruct elements of public infrastructure required to support
93.4 the overall development of the destination medical center development district including,
93.5 but not limited to, streets, roadways, utilities systems and related facilities, utility relocations
93.6 and replacements, network and communication systems, streetscape improvements, drainage
93.7 systems, sewer and water systems, subgrade structures and associated improvements,
93.8 landscaping, facade construction and restoration, construction costs permitted in section
93.9 469.47, subdivision 1, paragraph (d), clauses (1), (2), and (4), wayfinding and signage,
93.10 community engagement, and other components of community infrastructure;

93.11 (5) acquire, construct or reconstruct, and equip parking facilities and other facilities to
93.12 encourage intermodal transportation and public transit;

93.13 (6) install, construct or reconstruct, furnish, and equip parks, cultural, and recreational
93.14 facilities, facilities to promote tourism and hospitality, conferencing and conventions, and
93.15 broadcast and related multimedia infrastructure;

93.16 (7) make related site improvements including, without limitation, excavation, earth
93.17 retention, soil stabilization and correction, and site improvements to support the destination
93.18 medical center development district;

93.19 (8) prepare land for private development and to sell or lease land;

93.20 (9) provide costs of relocation benefits to occupants of acquired properties; and

93.21 (10) construct and equip all or a portion of one or more suitable structures on land owned
93.22 by the city for sale or lease to private development; provided, however, that the portion of
93.23 any structure directly financed by the city as a public infrastructure project must not be sold
93.24 or leased to a medical business entity.

93.25 (b) A public infrastructure project is not a business subsidy under section 116J.993.

93.26 (c) Public infrastructure project includes the planning, preparation, and modification of
93.27 the development plan under section 469.43. The cost of that planning, preparation, and any
93.28 modification is a capital cost of the public infrastructure project.

93.29 Sec. 21. Minnesota Statutes 2022, section 469.47, subdivision 1, is amended to read:

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

93.32 (b) "Commissioner" means the commissioner of employment and economic development.

94.1 (c) "Construction projects" means:

94.2 (1) for expenditures by a medical business entity, construction of buildings in the city
94.3 for which the building permit was issued after June 30, 2013; and

94.4 (2) for any other expenditures, construction of privately owned buildings and other
94.5 improvements that are undertaken pursuant to or as part of the development plan and are
94.6 located within a medical center development district.

94.7 (d) "Expenditures" means expenditures made by a medical business entity or by an
94.8 individual or private entity on construction projects for the capital cost of the project
94.9 including, but not limited to:

94.10 (1) design and predesign, including architectural, engineering, and similar services;

94.11 (2) legal, regulatory, and other compliance costs of the project;

94.12 (3) land acquisition, demolition of existing improvements, and other site preparation
94.13 costs;

94.14 (4) construction costs, including all materials and supplies of the project; and

94.15 (5) equipment and furnishings that are attached to or become part of the real property.

94.16 Expenditures excludes supplies and other items with a useful life of less than a year that
94.17 are not used or consumed in constructing improvements to real property or are otherwise
94.18 chargeable to capital costs.

94.19 (e) "Qualified expenditures for the year" means the total certified expenditures since
94.20 June 30, 2013, through the end of the preceding year, minus \$200,000,000.

94.21 (f) "Transit costs" means the portions of a public infrastructure project that are for public
94.22 transit intended primarily to serve the district, ~~such as~~ including but not limited to buses
94.23 and other means of transit, transit stations, equipment, rights-of-way, ~~and~~ similar costs, and
94.24 costs permitted under section 469.40, subdivision 11. This paragraph includes transit costs
94.25 incurred on or after March 16, 2020.

94.26 Sec. 22. Minnesota Statutes 2022, section 469.47, subdivision 5, is amended to read:

94.27 Subd. 5. **State transit aid.** (a) The city qualifies for state transit aid under this section
94.28 if the county contributes the required local matching contribution under subdivision 6 or
94.29 the city or county has agreed to make an equivalent contribution out of other funds for the
94.30 year.

95.1 (b) If the city qualifies for aid under paragraph (a), the commissioner must pay the city
 95.2 the state transit aid in the amount calculated under this paragraph. The amount of the state
 95.3 transit aid for a year equals the qualified expenditures for the year, as certified by the
 95.4 commissioner, multiplied by 0.75 percent, ~~reduced by~~ subject to the amount of the required
 95.5 local contribution under subdivision 6. City or county contributions that are in excess of
 95.6 this ratio carry forward and are credited toward subsequent years. The maximum amount
 95.7 of state transit aid payable in any year is limited to no more than \$7,500,000. If the
 95.8 commissioner determines that the city or county has not made the full required matching
 95.9 local contribution for the year, the commissioner must pay state transit aid only ~~in proportion~~
 95.10 ~~to the amount of~~ for the matching contribution made ~~for the year~~ and any unpaid amount
 95.11 is a carryover aid. The carryover aid must be paid in the first year after the required matching
 95.12 contribution ~~for that prior year~~ is made and in which the aid entitlement for the current year
 95.13 is less than the maximum annual limit, but only to the extent the carryover, when added to
 95.14 the current year aid, is less than the maximum annual limit.

95.15 (c) The commissioner, in consultation with the commissioner of management and budget,
 95.16 and representatives of the city and the corporation, must establish a total limit on the amount
 95.17 of state aid payable under this subdivision that will be adequate to finance, in combination
 95.18 with the local contribution, \$116,000,000 of transit costs.

95.19 (d) The city must use state transit aid it receives under this subdivision for transit costs.
 95.20 The city must maintain appropriate records to document the use of the funds under this
 95.21 requirement.

95.22 Sec. 23. Minnesota Statutes 2022, section 469.47, subdivision 6, is amended to read:

95.23 **Subd. 6. Transit aid; local matching contribution.** (a) The required local matching
 95.24 contribution for state transit aid equals the lesser of:

95.25 (1) 40 percent of the state transit aid subject to the \$7,500,000 limit under subdivision
 95.26 5; or

95.27 (2) the amount that would be raised by a 0.15 percent sales tax imposed by the county
 95.28 in the preceding year.

95.29 The county may impose the sales tax or the wheelage tax under section 469.46 to meet
 95.30 this obligation.

95.31 (b) If the county elects not to impose any of the taxes authorized under section 469.46,
 95.32 the county, or city, or both, may agree to make the local contribution out of other available

96.1 funds, other than state aid payable under this section. The commissioner of revenue must
 96.2 estimate the required amount and certify it to the commissioner, city, and county.

96.3 Sec. 24. **MINNESOTA EMPLOYER REASONABLE ACCOMMODATION FUND.**

96.4 **Subdivision 1. Definitions.** (a) For the purposes of this section, the terms defined in this
 96.5 subdivision have the meanings given.

96.6 (b) "Applicant" means any person, whether employed or unemployed, seeking or entering
 96.7 into any arrangement for employment or change of employment with an eligible employer.

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

96.9 (d) "Eligible employer" means an employer domiciled within the legal boundaries of
 96.10 Minnesota and having its principal place of business as identified in its certificate of
 96.11 incorporation in the state of Minnesota who:

96.12 (1) employs not more than 500 employees on any business day during the preceding
 96.13 calendar year; and

96.14 (2) generates \$5,000,000 or less in gross annual revenue.

96.15 (e) "Employee" has the meaning given in Minnesota Statutes, section 363A.03,
 96.16 subdivision 15.

96.17 (f) "Individual with a disability" has the meaning given to "qualified disabled person"
 96.18 in Minnesota Statutes, section 363A.03, subdivision 36.

96.19 (g) "Reasonable accommodation" has the meaning given in Minnesota Statutes, section
 96.20 363A.08, subdivision 6.

96.21 **Subd. 2. Reimbursement grant program established.** The commissioner shall establish
 96.22 a reasonable accommodation reimbursement grant program that reimburses eligible
 96.23 employers for the cost of expenses incurred in providing reasonable accommodations for
 96.24 individuals with a disability who are either applicants or employees of the eligible employer.

96.25 **Subd. 3. Application.** (a) The commissioner must develop forms and procedures for
 96.26 soliciting and reviewing applications for reimbursement under this section.

96.27 (b) The program shall award reimbursements to eligible employers to the extent that
 96.28 funds are available in the account established under subdivision 5 for this purpose.

96.29 (c) Applications shall be processed on a first-received, first-processed basis within each
 96.30 fiscal year until funding is exhausted. Applications received after funding has been exhausted
 96.31 in a fiscal year are not eligible for reimbursement.

97.1 (d) Documentation for reimbursement shall be provided by eligible employers in a form
97.2 approved by the commissioner.

97.3 Subd. 4. **Reimbursement awards.** The maximum total reimbursement per eligible
97.4 employer in a fiscal year is \$30,000 and:

97.5 (1) submissions for onetime reasonable accommodation expenses must be no less than
97.6 \$250 and no more than \$15,000 per individual with a disability; and

97.7 (2) submissions for ongoing reasonable accommodation expenses have no minimum or
97.8 maximum requirements.

97.9 Subd. 5. **Employer reasonable accommodation fund account established.** The
97.10 employer reasonable accommodation fund account is created as an account in the special
97.11 revenue fund. Money in the account is appropriated to the commissioner for the purposes
97.12 of reimbursing eligible employers under this section.

97.13 Subd. 6. **Technical assistance and consultation.** The commissioner may provide
97.14 technical assistance regarding requests for reasonable accommodations.

97.15 Subd. 7. **Administration and marketing costs.** The commissioner may use up to 20
97.16 percent of the biennial appropriation for administration and marketing of this section.

97.17 Subd. 8. **Notification.** By September 1, 2023, or within 60 days following final enactment,
97.18 whichever is later, and each year thereafter by June 30, the commissioner shall make publicly
97.19 available information regarding the availability of funds for reasonable accommodation
97.20 reimbursement and the procedure for requesting reimbursement under this section.

97.21 Subd. 9. **Reports to the legislature.** By January 15, 2024, and each January 15 thereafter
97.22 until expiration, the commissioner must submit a report to the chairs and ranking minority
97.23 members of the house of representatives and the senate committees with jurisdiction over
97.24 workforce development that details the use of grant funds. This report must include data on
97.25 the number of employer reimbursements the program made in the preceding calendar year.
97.26 The report must include:

97.27 (1) the number and type of accommodations requested;

97.28 (2) the cost of accommodations requested;

97.29 (3) the employers from which the requests were made;

97.30 (4) the number and type of accommodations that were denied and why;

97.31 (5) any remaining balance left in the account; and

98.1 (6) if the account was depleted, the date on which funds were exhausted and the number,
 98.2 type, and cost of accommodations that were not reimbursed to employers.

98.3 Subd. 10. **Expiration.** This section expires June 30, 2025, or when money appropriated
 98.4 for its purpose expires, whichever is later.

98.5 **ARTICLE 6**

98.6 **ECONOMIC DEVELOPMENT POLICY**

98.7 Section 1. **[116J.545] GETTING TO WORK GRANT PROGRAM.**

98.8 Subdivision 1. **Creation.** The commissioner of employment and economic development
 98.9 shall make grants to nonprofit organizations to establish and operate programs under this
 98.10 section that provide, repair, or maintain motor vehicles to assist eligible individuals to obtain
 98.11 or maintain employment. All grants shall be for two years.

98.12 Subd. 2. **Qualified grantee.** A grantee must:

98.13 (1) qualify under section 501(c)(3) of the Internal Revenue Code; and

98.14 (2) at the time of application, offer or have the demonstrated capacity to offer a motor
 98.15 vehicle program that provides the services required under subdivision 3.

98.16 Subd. 3. **Program requirements.** (a) A program must offer one or more of the following
 98.17 services:

98.18 (1) provision of new or used motor vehicles by gift, sale, or lease;

98.19 (2) motor vehicle repair and maintenance services; or

98.20 (3) motor vehicle loans.

98.21 (b) In addition to the requirements of paragraph (a), a program must offer one or more
 98.22 of the following services:

98.23 (1) financial literacy education;

98.24 (2) education on budgeting for vehicle ownership;

98.25 (3) car maintenance and repair instruction;

98.26 (4) credit counseling; or

98.27 (5) job training related to motor vehicle maintenance and repair.

99.1 Subd. 4. **Application.** Applications for a grant must be on a form provided by the
99.2 commissioner and on a schedule set by the commissioner. Applications must, in addition
99.3 to any other information required by the commissioner, include the following:

99.4 (1) a detailed description of all services to be offered;

99.5 (2) the area to be served;

99.6 (3) the estimated number of program participants to be served by the grant; and

99.7 (4) a plan for leveraging resources from partners that may include but are not limited

99.8 to:

99.9 (i) automobile dealers;

99.10 (ii) automobile parts dealers;

99.11 (iii) independent local mechanics and automobile repair facilities;

99.12 (iv) banks and credit unions;

99.13 (v) employers;

99.14 (vi) employment and training agencies;

99.15 (vii) insurance companies and agents;

99.16 (viii) local workforce centers; and

99.17 (ix) educational institutions, including vocational institutions and jobs or skills training
99.18 programs.

99.19 Subd. 5. **Participant eligibility.** (a) To be eligible to receive program services, a person
99.20 must:

99.21 (1) have a household income at or below 200 percent of the federal poverty level;

99.22 (2) be at least 18 years of age;

99.23 (3) have a valid driver's license;

99.24 (4) provide the grantee with proof of motor vehicle insurance; and

99.25 (5) demonstrate to the grantee that a motor vehicle is required by the person to obtain
99.26 or maintain employment.

99.27 (b) This subdivision does not preclude a grantee from imposing additional requirements,
99.28 not inconsistent with paragraph (a), for the receipt of program services.

100.1 Subd. 6. Report to legislature. By February 15, 2025, and each January 15 in an
 100.2 odd-numbered year thereafter, the commissioner shall submit a report to the chairs of the
 100.3 house of representatives and senate committees with jurisdiction over workforce and
 100.4 economic development on program outcomes. At a minimum, the report must include:

100.5 (1) the total number of program participants;

100.6 (2) the number of program participants who received each of the following:

100.7 (i) provision of a motor vehicle;

100.8 (ii) motor vehicle repair services; and

100.9 (iii) motor vehicle loans;

100.10 (3) the number of program participants who report that they or their children were able
 100.11 to increase their participation in community activities such as after school programs, other
 100.12 youth programs, church or civic groups, or library services as a result of participation in the
 100.13 program; and

100.14 (4) an analysis of the impact of the getting to work grant program on the employment
 100.15 rate and wages of program participants.

100.16 Sec. 2. Minnesota Statutes 2022, section 116J.55, subdivision 1, is amended to read:

100.17 Subdivision 1. **Definitions.** For the purposes of this section, "eligible community" means
 100.18 a county, municipality, or tribal government located in Minnesota in which an electric
 100.19 generating plant owned by a public utility, as defined in section 216B.02, that is powered
 100.20 by coal, nuclear energy, or natural gas:

100.21 (1) is currently operating and (i) is scheduled to cease operations or, (ii) whose cessation
 100.22 of operations has been proposed in an integrated resource plan filed with the commission
 100.23 under section 216B.2422, or (iii) whose current operating license expires within 15 years
 100.24 of the effective date of this section; or

100.25 (2) ceased operations or was removed from the local property tax base no earlier than
 100.26 five years before the date an application is made for a grant under this section.

100.27 Sec. 3. Minnesota Statutes 2022, section 116J.55, subdivision 5, is amended to read:

100.28 Subd. 5. **Grant awards; limitations.** ~~(a) The commissioner must award grants under~~
 100.29 ~~this section to eligible communities through a competitive grant process.~~

101.1 ~~(b)~~ (a) A grant awarded to an eligible community under this section must not exceed
 101.2 ~~\$500,000~~ \$1,000,000 in any calendar year. The commissioner may accept grant applications
 101.3 on an ongoing or rolling basis.

101.4 ~~(e)~~ (b) Grants funded with revenues from the renewable development account established
 101.5 in section 116C.779 must be awarded to an eligible community located within the retail
 101.6 electric service territory of the public utility that is subject to section 116C.779 or to an
 101.7 eligible community in which an electric generating plant owned by that public utility is
 101.8 located.

101.9 Sec. 4. Minnesota Statutes 2022, section 116J.55, subdivision 6, is amended to read:

101.10 Subd. 6. **Eligible expenditures.** (a) Money in the account established in subdivision 3
 101.11 must be used only to:

101.12 (1) award grants to eligible communities under this section; and

101.13 (2) reimburse the department's reasonable costs to administer this section, up to a
 101.14 maximum of five percent of the appropriation made to the commissioner under this section.
 101.15 The commissioner may transfer part of the allowable administrative portion of this
 101.16 appropriation to the Environmental Quality Board to assist communities with regulatory
 101.17 coordination and dedicated technical assistance on conversion for these communities.

101.18 (b) An eligible community awarded a grant under this section may use the grant to plan
 101.19 for or address the economic and social impacts on the eligible community of the electric
 101.20 generating plant's cessation of operations, including but not limited to land use studies,
 101.21 economic planning, researching, planning, and implementing activities, capital costs of
 101.22 public infrastructure necessary for economic development, and impact studies and other
 101.23 planning activities enabling communities to become shovel-ready and support the transition
 101.24 from power plants to other economic activities to minimize the negative impacts of power
 101.25 plant closures on tax revenues and jobs designed to:

101.26 (1) assist workers at the plant find new employment, including worker retraining and
 101.27 developing small business start-up skills;

101.28 (2) increase the eligible community's property tax base; and

101.29 (3) develop alternative economic development strategies to attract new employers to the
 101.30 eligible community.

102.1 **Sec. 5. [116J.9926] EMERGING DEVELOPER FUND PROGRAM.**

102.2 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
102.3 the meanings given.

102.4 (b) "Commissioner" means the commissioner of employment and economic development.

102.5 (c) "Eligible project" means a project that is based in Minnesota and meets one or more
102.6 of the following criteria:

102.7 (1) it will stimulate community stabilization or revitalization;

102.8 (2) it will be located within a census tract identified as a disadvantaged community or
102.9 low-income community;

102.10 (3) it will directly benefit residents of a low-income household;

102.11 (4) it will increase the supply and improve the condition of affordable housing and
102.12 homeownership;

102.13 (5) it will support the growth needs of new and existing community-based enterprises
102.14 that promote economic stability or improve the supply or quality of job opportunities; or

102.15 (6) it will promote wealth creation, including by being a project in a neighborhood
102.16 traditionally not served by real estate developers.

102.17 (d) "Emerging developer" means a developer who:

102.18 (1) has limited access to loans from traditional financial institutions; or

102.19 (2) is a new or smaller developer who has engaged in educational training in real estate
102.20 development; and

102.21 (3) is either a:

102.22 (i) minority as defined by section 116M.14, subdivision 6;

102.23 (ii) woman;

102.24 (iii) person with a disability, as defined under section 116M.14, subdivision 9; or

102.25 (iv) low-income person.

102.26 (e) "Low-income person" means a person who:

102.27 (i) has a household income at or below 200 percent of the federal poverty guidelines;

102.28 or

103.1 (ii) has a family income that does not exceed 60 percent of the area median income as
103.2 determined by the United States Department of Housing and Urban Development.

103.3 (f) "Program" means the emerging developer fund program created under this section.

103.4 Subd. 2. **Establishment.** The commissioner shall establish an emerging developer fund
103.5 program to make loans to emerging developers for eligible projects to transform
103.6 neighborhoods statewide and promote economic development and the creation and retention
103.7 of jobs in Minnesota. The program shall also reduce racial and socioeconomic disparities
103.8 by growing the financial capacity of emerging developers.

103.9 Subd. 3. **Loan program.** (a) Through the program, the commissioner shall offer emerging
103.10 developers predevelopment, construction, and bridge loans for eligible projects.

103.11 (b) Predevelopment loans shall be for no more than \$50,000. All other types of loans
103.12 shall be for no more than \$500,000.

103.13 (c) Loans shall be for a term set by the commissioner of no less than six months and no
103.14 more than five years, depending on the use of loan proceeds.

103.15 (d) Loans shall be for zero interest or a low interest rate, as determined by the
103.16 commissioner based on the individual project risk and type of loan sought.

103.17 (e) Loans shall have flexible collateral requirements, but may require a personal guaranty
103.18 from the emerging developer and may be largely unsecured when the appraised value of
103.19 the real estate is low.

103.20 (f) Loans shall have no prepayment penalties and are expected to be repaid from
103.21 permanent financing or a conventional loan, once that is secured.

103.22 (g) Loans shall have the ability to bridge many types of receivables, such as tax credits,
103.23 grants, developer fees, and other forms of long-term financing.

103.24 (h) At the commissioner's discretion, an emerging developer may be required to work
103.25 with an experienced developer or professional services consultant who can offer expertise
103.26 and advice throughout the development of the project.

103.27 (i) All loan repayments shall be paid into the emerging developer fund account created
103.28 in this section to fund additional loans.

103.29 Subd. 4. **Eligible expenses.** (a) The following shall be eligible expenses for a
103.30 predevelopment loan under the program:

103.31 (1) earnest money or purchase deposit;

- 104.1 (2) building inspection fees and environmental reviews;
- 104.2 (3) appraisal and surveying;
- 104.3 (4) design and tax credit application fees;
- 104.4 (5) title and recording fees;
- 104.5 (6) site preparation, demolition, and stabilization;
- 104.6 (7) interim maintenance and project overhead;
- 104.7 (8) property taxes and insurance;
- 104.8 (9) construction bonds or letters of credit;
- 104.9 (10) market and feasibility studies; and
- 104.10 (11) professional fees.
- 104.11 (b) The following shall be eligible expenses for a construction or bridge loan under the
- 104.12 program:
- 104.13 (1) land or building acquisition;
- 104.14 (2) construction-related expenses;
- 104.15 (3) developer and contractor fees;
- 104.16 (4) site preparation and demolition;
- 104.17 (5) financing fees, including title and recording;
- 104.18 (6) professional fees;
- 104.19 (7) carrying costs;
- 104.20 (8) construction period interest;
- 104.21 (9) project reserves; and
- 104.22 (10) leasehold improvements and equipment purchase.
- 104.23 Subd. 5. **Emerging developer fund account.** An emerging developer fund account is
- 104.24 created in the special revenue fund in the state treasury. Money in the account is appropriated
- 104.25 to the commissioner for loans under this section.
- 104.26 Subd. 6. **Reports to the legislature.** By February 15 of each year, beginning in 2025,
- 104.27 the commissioner shall submit a report to the chairs of the house of representatives and
- 104.28 senate committees with jurisdiction over economic development on loans made under the
- 104.29 program.

105.1 Sec. 6. Laws 2021, First Special Session chapter 10, article 2, section 24, is amended to
105.2 read:

105.3 Sec. 24. **FORGIVABLE LOAN PROGRAM FOR REMOTE RECREATIONAL**
105.4 **BUSINESSES.**

105.5 Subdivision 1. **Establishment.** Lake of the Woods County shall establish a loan program
105.6 to make forgivable loans to eligible remote recreational businesses that experienced a loss
105.7 in revenue that is greater than 30 percent during the period between March 15, ~~2020~~ 2021,
105.8 and March 15, ~~2021~~ 2022, as compared with ~~the previous year~~ March 15, 2019, and March
105.9 15, 2020.

105.10 Subd. 2. **Definition.** For the purposes of this section, "remote recreational business"
105.11 means a business in the contiguous United States that is:

105.12 (1) a small business concern as defined under section 3 of the Small Business Act, United
105.13 States Code, title 15, section 632, operating in the recreational industry;

105.14 (2) located within 75 miles of the United States and Canadian border; and

105.15 (3) only accessible by land via Canada.

105.16 Subd. 3. **Eligibility.** To be eligible for a forgivable loan, a remote recreational business
105.17 must:

105.18 (1) have been in operation on March 15, ~~2020~~ 2021;

105.19 (2) show that the closure and ongoing COVID-19-related requirements of the United
105.20 States and Canadian border restricted the ability of American customers to access the location
105.21 of the remote recreational business; and

105.22 (3) not have received a grant under the Main Street COVID-19 relief grant program.

105.23 Subd. 4. **Application.** (a) Lake of the Woods County shall develop forms and procedures
105.24 for soliciting and reviewing applications for loans under this section.

105.25 (b) Loans shall be made before ~~April 1, 2022~~ December 30, 2023. Any funds not spent
105.26 by ~~April 1~~ December 30, 2022 2024, must be returned to the state general fund.

105.27 (c) If there are insufficient funds to pay all claims in full, the county shall distribute
105.28 funds on a prorated basis.

105.29 Subd. 5. **Maximum loan amount.** The maximum loan amount shall be equal to 75
105.30 percent of the remote recreational business's gross annual receipts for fiscal year ~~2020~~ 2021,
105.31 not to exceed \$500,000 per eligible remote recreational business.

106.1 Subd. 6. **Forgiveness.** Loans are forgiven for a remote recreational business if the
 106.2 business remains in operation for at least one year after the date of the loan. Lake of the
 106.3 Woods County shall forgive 100 percent of the value of a loan received less the amount the
 106.4 borrower received from:

106.5 (1) any other loan forgiveness program, including any program established under the
 106.6 CARES Act, Public Law 116-136; and

106.7 (2) an advance received under section 1110 of the CARES Act, United States Code, title
 106.8 15, section 9009.

106.9 Subd. 7. **Report to legislature.** By ~~January 15, 2023~~ April 30, 2024, Lake of the Woods
 106.10 County shall report to the legislative committees with jurisdiction over economic
 106.11 development policy and finance on the loans provided to remote recreational businesses
 106.12 under this section.

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

106.14 Sec. 7. **CANADIAN BORDER COUNTIES ECONOMIC RELIEF PROGRAM.**

106.15 **Subdivision 1. Relief program established.** The Northland Foundation must develop
 106.16 and implement a Canadian border counties economic relief program to assist businesses
 106.17 adversely affected by the 2021 closure of the Boundary Waters Canoe Area Wilderness or
 106.18 the closures of the Canadian border since 2020.

106.19 Subd. 2. **Available relief.** (a) The economic relief program established under this section
 106.20 may include grants provided in this section to the extent that funds are available. Before
 106.21 awarding a grant to the Northland Foundation for the relief program under this section:

106.22 (1) the Northland Foundation must develop criteria, procedures, and requirements for:

106.23 (i) determining eligibility for assistance;

106.24 (ii) evaluating applications for assistance;

106.25 (iii) awarding assistance; and

106.26 (iv) administering the grant program authorized under this section;

106.27 (2) the Northland Foundation must submit its criteria, procedures, and requirements
 106.28 developed under clause (1) to the commissioner of employment and economic development
 106.29 for review; and

106.30 (3) the commissioner must approve the criteria, procedures, and requirements submitted
 106.31 under clause (2).

107.1 (b) The maximum grant to a business under this section is \$50,000 per business.

107.2 Subd. 3. **Qualification requirements.** To qualify for assistance under this section, a
107.3 business must:

107.4 (1) be located within a county that shares a border with Canada;

107.5 (2) document a reduction of at least ten percent in gross receipts in 2021 compared to
107.6 2019; and

107.7 (3) provide a written explanation for how the 2021 closure of the Boundary Waters
107.8 Canoe Area Wilderness or the closures of the Canadian border since 2020 resulted in the
107.9 reduction in gross receipts documented under clause (2).

107.10 Subd. 4. **Monitoring.** (a) The Northland Foundation must establish performance
107.11 measures, including but not limited to the following components:

107.12 (1) the number of grants awarded and award amounts for each grant;

107.13 (2) the number of jobs created or retained as a result of the assistance, including
107.14 information on the wages and benefit levels, the status of the jobs as full time or part time,
107.15 and the status of the jobs as temporary or permanent;

107.16 (3) the amount of business activity and changes in gross revenues of the grant recipient
107.17 as a result of the assistance; and

107.18 (4) the new tax revenue generated as a result of the assistance.

107.19 (b) The commissioner of employment and economic development must monitor the
107.20 Northland Foundation's compliance with this section and the performance measures
107.21 developed under paragraph (a).

107.22 (c) The Northland Foundation must comply with all requests made by the commissioner
107.23 under this section.

107.24 Subd. 5. **Business subsidy requirements.** Minnesota Statutes, sections 116J.993 to
107.25 116J.995, do not apply to assistance under this section. Businesses in receipt of assistance
107.26 under this section must provide for job creation and retention goals, and wage and benefit
107.27 goals.

107.28 Subd. 6. **Administrative costs.** The commissioner of employment and economic
107.29 development may use up to one percent of the appropriation made for this section for
107.30 administrative expenses of the department.

107.31 **EFFECTIVE DATE.** This section is effective July 1, 2023, and expires June 30, 2024.

108.1

ARTICLE 7

108.2

AGRICULTURE AND FOOD PROCESSING WORKERS

108.3 Section 1. Minnesota Statutes 2022, section 179.86, subdivision 1, is amended to read:

108.4 Subdivision 1. **Definition.** For the purpose of this section, "employer" means an employer
108.5 in the meatpacking or poultry processing industry.

108.6 Sec. 2. Minnesota Statutes 2022, section 179.86, subdivision 3, is amended to read:

108.7 Subd. 3. **Information provided to employee by employer.** (a) At the start of
108.8 employment, an employer must provide an explanation in an employee's native language
108.9 of the employee's rights and duties as an employee ~~either~~ both person to person ~~or~~ and
108.10 through written materials that, at a minimum, include:

108.11 (1) a complete description of the salary and benefits plans as they relate to the employee;

108.12 (2) a job description for the employee's position;

108.13 (3) a description of leave policies;

108.14 (4) a description of the work hours and work hours policy; ~~and~~

108.15 (5) a description of the occupational hazards known to exist for the position; and

108.16 (6) when workers' compensation insurance coverage is required by chapter 176, the
108.17 name of the employer's workers' compensation insurance carrier, the carrier's phone number,
108.18 and the insurance policy number.

108.19 (b) The explanation must also include information on the following employee rights as
108.20 protected by state or federal law and a description of where additional information about
108.21 those rights may be obtained:

108.22 (1) the right to organize and bargain collectively and refrain from organizing and
108.23 bargaining collectively;

108.24 (2) the right to a safe workplace; ~~and~~

108.25 (3) the right to be free from discrimination; and

108.26 (4) the right to workers' compensation insurance coverage.

108.27 (c) The Department of Labor and Industry shall provide a standard explanation form for
108.28 use at the employer's option for providing the information required in this subdivision. The
108.29 form shall be available in English and Spanish and additional languages upon request.

109.1 (d) The requirements under this subdivision are in addition to the requirements under
109.2 section 181.032.

109.3 Sec. 3. Minnesota Statutes 2022, section 179.86, is amended by adding a subdivision to
109.4 read:

109.5 Subd. 5. **Civil action.** An employee injured by a violation of this section has a cause of
109.6 action for damages for the greater of \$1,000 per violation or twice the employee's actual
109.7 damages, plus costs and reasonable attorney fees. A damage award shall be the greater of
109.8 \$1,400 or three times actual damages for an employee injured by an intentional violation
109.9 of this section. Damages awarded under this subdivision shall be reduced by the amount of
109.10 any fine paid to the employee under subdivision 6.

109.11 Sec. 4. Minnesota Statutes 2022, section 179.86, is amended by adding a subdivision to
109.12 read:

109.13 Subd. 6. **Fine.** The commissioner of labor and industry shall fine an employer not less
109.14 than \$400 or more than \$1,000 for each violation of subdivision 3. The fine shall be payable
109.15 to the employee aggrieved, except the amount payable to the employee shall be reduced by
109.16 any damages awarded under subdivision 5.

109.17 Sec. 5. Minnesota Statutes 2022, section 181.14, subdivision 1, is amended to read:

109.18 Subdivision 1. **Prompt payment required.** (a) When any such employee quits or resigns
109.19 employment, the wages or commissions earned and unpaid at the time the employee quits
109.20 or resigns shall be paid in full not later than the first regularly scheduled payday following
109.21 the employee's final day of employment, unless an employee is subject to a collective
109.22 bargaining agreement with a different provision. Wages are earned and unpaid if the
109.23 employee was not paid for all time worked at the employee's regular rate of pay or at the
109.24 rate required by law, including any applicable statute, regulation, rule, ordinance, government
109.25 resolution or policy, contract, or other legal authority, whichever rate of pay is greater. If
109.26 the first regularly scheduled payday is less than five calendar days following the employee's
109.27 final day of employment, full payment may be delayed until the second regularly scheduled
109.28 payday but shall not exceed a total of 20 calendar days following the employee's final day
109.29 of employment.

109.30 (b) Notwithstanding the provisions of paragraph (a), in the case of migrant workers, as
109.31 defined in section 181.85, the wages or commissions earned and unpaid at the time the
109.32 employee quits or resigns shall become due and payable within ~~five~~ three days thereafter.

110.1 Sec. 6. Minnesota Statutes 2022, section 181.635, subdivision 1, is amended to read:

110.2 Subdivision 1. **Definitions.** The definitions in this subdivision apply to this section.

110.3 (a) "Employer" means a person who employs another to perform a service for hire.

110.4 Employer includes any agent or attorney of an employer who, for money or other valuable
110.5 consideration paid or promised to be paid, performs any recruiting.

110.6 (b) "Person" means a corporation, partnership, limited liability company, limited liability
110.7 partnership, association, individual, or group of persons.

110.8 (c) "Recruits" means to induce an individual, directly or through an agent, to relocate
110.9 to Minnesota or within Minnesota to work in food processing by an offer of employment
110.10 or of the possibility of employment.

110.11 (d) "Food processing" means canning, packing, or otherwise processing poultry or meat
110.12 for consumption.

110.13 (e) "Terms and conditions of employment" means the following:

110.14 (1) nature of the work to be performed;

110.15 (2) wage rate, nature and amount of deductions for tools, clothing, supplies, or other
110.16 items;

110.17 (3) anticipated hours of work per week, including overtime;

110.18 (4) anticipated slowdown or shutdown or if hours of work per week vary more than 25
110.19 percent from clause (3);

110.20 (5) duration of the work;

110.21 (6) workers' compensation coverage and name, address, and telephone number of insurer
110.22 and Department of Labor and Industry;

110.23 (7) employee benefits available, including any health plans, sick leave, or paid vacation;

110.24 (8) transportation and relocation arrangements with allocation of costs between employer
110.25 and employee;

110.26 (9) availability and description of housing and any costs to employee associated with
110.27 housing; and

110.28 (10) any other item of value offered, and allocation of costs of item between employer
110.29 and employee.

111.1 Sec. 7. Minnesota Statutes 2022, section 181.635, subdivision 2, is amended to read:

111.2 Subd. 2. **Recruiting; required disclosure.** (a) An employer shall provide written
111.3 disclosure of the terms and conditions of employment to a person at the time it recruits the
111.4 person to relocate to work in the food processing industry. The disclosure requirement does
111.5 not apply to an exempt employee as defined in United States Code, title 29, section 213(a)(1).
111.6 The disclosure must be written in English and Spanish, or English and another language if
111.7 the person's preferred language is not English or Spanish, dated and signed by the employer
111.8 and the person recruited, and maintained by the employer for ~~two~~ three years. A copy of
111.9 the signed and completed disclosure must be delivered immediately to the recruited person.
111.10 The disclosure may not be construed as an employment contract.

111.11 (b) The requirements under this subdivision are in addition to the requirements under
111.12 section 181.032.

111.13 Sec. 8. Minnesota Statutes 2022, section 181.635, subdivision 3, is amended to read:

111.14 Subd. 3. **Civil action.** A person injured by a violation of this section has a cause of action
111.15 for damages for the greater of ~~\$500~~ \$1,000 per violation or twice their actual damages, plus
111.16 costs and reasonable attorney's fees. A damage award shall be the greater of ~~\$750~~ \$1,400
111.17 or three times actual damages for a person injured by an intentional violation of this section.
111.18 Damages awarded under this subdivision shall be reduced by the amount of any fine paid
111.19 to the employee under subdivision 4.

111.20 Sec. 9. Minnesota Statutes 2022, section 181.635, subdivision 4, is amended to read:

111.21 Subd. 4. **Fine.** The Department of Labor and Industry shall fine an employer not less
111.22 than ~~\$200~~ \$400 or more than ~~\$500~~ \$1,000 for each violation of this section. The fine shall
111.23 be payable to the employee aggrieved, except the amount payable to the employee shall be
111.24 reduced by any damages awarded under subdivision 3.

111.25 Sec. 10. Minnesota Statutes 2022, section 181.635, subdivision 6, is amended to read:

111.26 Subd. 6. **Standard disclosure form.** The Department of Labor and Industry shall provide
111.27 a standard form for use at the employer's option in making the disclosure required in
111.28 subdivision 2. The form shall be available in English and Spanish and additional languages
111.29 upon request.

112.1 Sec. 11. Minnesota Statutes 2022, section 181.85, subdivision 2, is amended to read:

112.2 Subd. 2. **Agricultural labor.** "Agricultural labor" means field labor associated with the
 112.3 cultivation and harvest of fruits and vegetables and work performed in processing fruits and
 112.4 vegetables for market, as well as labor performed in agriculture as defined in Minnesota
 112.5 Rules, part 5200.0260.

112.6 Sec. 12. Minnesota Statutes 2022, section 181.85, subdivision 4, is amended to read:

112.7 Subd. 4. **Employer.** "Employer" means ~~a processor of fruits or vegetables~~ an individual,
 112.8 partnership, association, corporation, business trust, or any person or group of persons that
 112.9 employs, either directly or indirectly through a recruiter, ~~more than 30~~ one or more migrant
 112.10 workers ~~per day for more than seven days~~ in any calendar year.

112.11 Sec. 13. Minnesota Statutes 2022, section 181.86, subdivision 1, is amended to read:

112.12 Subdivision 1. **Terms.** (a) An employer that recruits a migrant worker shall provide the
 112.13 migrant worker, at the time the worker is recruited, with a written employment statement
 112.14 which shall state clearly and plainly, in English and Spanish, or English and another language
 112.15 if the worker's preferred language is not English or Spanish:

112.16 (1) the date on which and the place at which the statement was completed and provided
 112.17 to the migrant worker;

112.18 (2) the name and permanent address of the migrant worker, of the employer, and of the
 112.19 recruiter who recruited the migrant worker;

112.20 (3) the date on which the migrant worker is to arrive at the place of employment, the
 112.21 date on which employment is to begin, the approximate hours of employment, and the
 112.22 minimum period of employment;

112.23 (4) the crops and the operations on which the migrant worker will be employed;

112.24 (5) the wage rates to be paid;

112.25 (6) the payment terms, as provided in section 181.87;

112.26 (7) any deduction to be made from wages; ~~and~~

112.27 (8) whether housing will be provided; and

112.28 (9) when workers' compensation insurance coverage is required by chapter 176, the
 112.29 name of the employer's workers' compensation insurance carrier, the carrier's phone number,
 112.30 and the insurance policy number.

113.1 (b) The Department of Labor and Industry shall provide a standard employment statement
 113.2 form for use at the employer's option for providing the information required in subdivision
 113.3 1. The form shall be available in English and Spanish and additional languages upon request.

113.4 (c) The requirements under this subdivision are in addition to the requirements under
 113.5 section 181.032.

113.6 Sec. 14. Minnesota Statutes 2022, section 181.87, subdivision 2, is amended to read:

113.7 Subd. 2. **Biweekly pay.** The employer shall pay wages due to the migrant worker at
 113.8 least every two weeks, except on termination, when the employer shall pay within three
 113.9 days unless payment is required sooner pursuant to section 181.13.

113.10 Sec. 15. Minnesota Statutes 2022, section 181.87, subdivision 3, is amended to read:

113.11 Subd. 3. **Guaranteed hours.** The employer shall guarantee to each recruited migrant
 113.12 worker a minimum of 70 hours pay for work in any two successive weeks and, should the
 113.13 pay for hours actually offered by the employer and worked by the migrant worker provide
 113.14 a sum of pay less than the minimum guarantee, the employer shall pay the migrant worker
 113.15 the difference within three days after the scheduled payday for the pay period involved.
 113.16 Payment for the guaranteed hours shall be at the hourly wage rate, if any, specified in the
 113.17 employment statement, or the federal, state, or local minimum wage, whichever is ~~higher~~
 113.18 highest. Any pay in addition to the hourly wage rate specified in the employment statement
 113.19 shall be applied against the guarantee. This guarantee applies for the minimum period of
 113.20 employment specified in the employment statement beginning with the date on which
 113.21 employment is to begin as specified in the employment statement. The date on which
 113.22 employment is to begin may be changed by the employer by written, telephonic, or
 113.23 telegraphic notice to the migrant worker, at the worker's last known physical address or
 113.24 email address, no later than ten days prior to the previously stated beginning date. The
 113.25 migrant worker shall contact the recruiter to obtain the latest information regarding the date
 113.26 upon which employment is to begin no later than five days prior to the previously stated
 113.27 beginning date. This guarantee shall be reduced, when there is no work available for a period
 113.28 of seven or more consecutive days during any two-week period subsequent to the
 113.29 commencement of work, by five hours pay for each such day, when the unavailability of
 113.30 work is caused by climatic conditions or an act of God, provided that the employer pays
 113.31 the migrant worker, on the normal payday, the sum of ~~\$5~~ \$50 for each such day.

114.1 Sec. 16. Minnesota Statutes 2022, section 181.87, subdivision 7, is amended to read:

114.2 Subd. 7. **Statement itemizing deductions from wages.** The employer shall provide a
 114.3 written statement at the time wages are paid clearly itemizing each deduction from wages.
 114.4 The written statement shall also comply with all other requirements for an earnings statement
 114.5 in section 181.032.

114.6 Sec. 17. Minnesota Statutes 2022, section 181.88, is amended to read:

114.7 **181.88 RECORD KEEPING.**

114.8 Every employer subject to the provisions of sections 181.85 to 181.90 shall maintain
 114.9 complete and accurate records ~~of the names of, the daily hours worked by, the rate of pay~~
 114.10 ~~for and the wages paid each pay period to~~ for every individual migrant worker recruited by
 114.11 that employer; as required by section 177.30 and shall ~~preserve the records~~ also maintain
 114.12 the employment statements required under section 181.86 for a period of at least three years.

114.13 Sec. 18. Minnesota Statutes 2022, section 181.89, subdivision 2, is amended to read:

114.14 Subd. 2. **Judgment; damages.** If the court finds that any defendant has violated the
 114.15 provisions of sections 181.86 to 181.88, the court shall enter judgment for the actual damages
 114.16 incurred by the plaintiff or the appropriate penalty as provided by this subdivision, whichever
 114.17 is greater. The court may also award court costs and a reasonable attorney's fee. The penalties
 114.18 shall be as follows:

114.19 (1) whenever the court finds that an employer has violated the record-keeping
 114.20 requirements of section 181.88, ~~\$50~~ \$200;

114.21 (2) whenever the court finds that an employer has recruited a migrant worker without
 114.22 providing a written employment statement as provided in section 181.86, subdivision 1,
 114.23 ~~\$250~~ \$800;

114.24 (3) whenever the court finds that an employer has recruited a migrant worker after having
 114.25 provided a written employment statement, but finds that the employment statement fails to
 114.26 comply with the requirement of section 181.86, subdivision 1 or section 181.87, ~~\$250~~ \$800;

114.27 (4) whenever the court finds that an employer has failed to comply with the terms of an
 114.28 employment statement which the employer has provided to a migrant worker or has failed
 114.29 to comply with any payment term required by section 181.87, ~~\$500~~ \$1,600;

114.30 (5) whenever the court finds that an employer has failed to pay wages to a migrant worker
 114.31 within a time period set forth in section 181.87, subdivision 2 or 3, ~~\$500~~ \$1,600; and

115.1 (6) whenever penalties are awarded, they shall be awarded severally in favor of each
115.2 migrant worker plaintiff and against each defendant found liable.

115.3 Sec. 19. Minnesota Statutes 2022, section 181.89, is amended by adding a subdivision to
115.4 read:

115.5 Subd. 3. **Enforcement.** In addition to any other remedies available, the commissioner
115.6 may assess the penalties in subdivision 2 and provide the penalty to the migrant worker
115.7 aggrieved by the employer's noncompliance.

115.8 ARTICLE 8

115.9 NURSING HOME WORKFORCE STANDARDS

115.10 Section 1. TITLE.

115.11 Minnesota Statutes, sections 181.211 to 181.217, shall be known as the "Minnesota
115.12 Nursing Home Workforce Standards Board Act."

115.13 Sec. 2. Minnesota Statutes 2022, section 177.27, subdivision 7, is amended to read:

115.14 Subd. 7. **Employer liability.** If an employer is found by the commissioner to have
115.15 violated a section identified in subdivision 4, or any rule adopted under section 177.28,
115.16 181.213, or 181.215, and the commissioner issues an order to comply, the commissioner
115.17 shall order the employer to cease and desist from engaging in the violative practice and to
115.18 take such affirmative steps that in the judgment of the commissioner will effectuate the
115.19 purposes of the section or rule violated. The commissioner shall order the employer to pay
115.20 to the aggrieved parties back pay, gratuities, and compensatory damages, less any amount
115.21 actually paid to the employee by the employer, and for an additional equal amount as
115.22 liquidated damages. Any employer who is found by the commissioner to have repeatedly
115.23 or willfully violated a section or sections identified in subdivision 4 shall be subject to a
115.24 civil penalty of up to \$1,000 for each violation for each employee. In determining the amount
115.25 of a civil penalty under this subdivision, the appropriateness of such penalty to the size of
115.26 the employer's business and the gravity of the violation shall be considered. In addition, the
115.27 commissioner may order the employer to reimburse the department and the attorney general
115.28 for all appropriate litigation and hearing costs expended in preparation for and in conducting
115.29 the contested case proceeding, unless payment of costs would impose extreme financial
115.30 hardship on the employer. If the employer is able to establish extreme financial hardship,
115.31 then the commissioner may order the employer to pay a percentage of the total costs that
115.32 will not cause extreme financial hardship. Costs include but are not limited to the costs of

116.1 services rendered by the attorney general, private attorneys if engaged by the department,
116.2 administrative law judges, court reporters, and expert witnesses as well as the cost of
116.3 transcripts. Interest shall accrue on, and be added to, the unpaid balance of a commissioner's
116.4 order from the date the order is signed by the commissioner until it is paid, at an annual rate
116.5 provided in section 549.09, subdivision 1, paragraph (c). The commissioner may establish
116.6 escrow accounts for purposes of distributing damages.

116.7 Sec. 3. 181.211 **DEFINITIONS.**

116.8 Subdivision 1. **Application.** The terms defined in this section apply to sections 181.211
116.9 to 181.217.

116.10 Subd. 2. **Board.** "Board" means the Minnesota Nursing Home Workforce Standards
116.11 Board established under section 181.212.

116.12 Subd. 3. **Certified worker organization.** "Certified worker organization" means a
116.13 worker organization that is certified by the board to conduct nursing home worker trainings
116.14 under section 181.214.

116.15 Subd. 4. **Commissioner.** "Commissioner" means the commissioner of labor and industry.

116.16 Subd. 5. **Compensation.** "Compensation" means all income and benefits paid by a
116.17 nursing home employer to a nursing home worker or on behalf of a nursing home worker,
116.18 including but not limited to wages, bonuses, differentials, paid leave, pay for scheduling
116.19 changes, and pay for training or occupational certification.

116.20 Subd. 6. **Employer organization.** "Employer organization" means:

116.21 (1) an organization that is exempt from federal income taxation under section 501(c)(6)
116.22 of the Internal Revenue Code and that represents nursing home employers; or

116.23 (2) an entity that employers, who together employ a majority of nursing home workers
116.24 in Minnesota, have selected as a representative.

116.25 Subd. 7. **Nursing home.** "Nursing home" means a nursing home licensed under chapter
116.26 144A, or a boarding care home licensed under sections 144.50 to 144.56.

116.27 Subd. 8. **Nursing home employer.** "Nursing home employer" means an employer of
116.28 nursing home workers in a licensed, Medicaid-certified facility that is reimbursed under
116.29 chapter 256R.

116.30 Subd. 9. **Nursing home worker.** "Nursing home worker" means any worker who provides
116.31 services in a nursing home in Minnesota, including direct care staff, non-direct care staff,

117.1 and contractors, but excluding administrative staff, medical directors, nursing directors,
 117.2 physicians, and individuals employed by a supplemental nursing services agency.

117.3 Subd. 10. **Worker organization.** "Worker organization" means an organization that is
 117.4 exempt from federal income taxation under section 501(c)(3), 501(c)(4), or 501(c)(5) of
 117.5 the Internal Revenue Code, that is not dominated or interfered with by any nursing home
 117.6 employer within the meaning of United States Code, title 29, section 158a(2), and that has
 117.7 at least five years of demonstrated experience engaging with and advocating for nursing
 117.8 home workers.

117.9 Sec. 4. **[181.212] MINNESOTA NURSING HOME WORKFORCE STANDARDS**
 117.10 **BOARD; ESTABLISHMENT.**

117.11 Subdivision 1. **Board established; membership.** (a) The Minnesota Nursing Home
 117.12 Workforce Standards Board is created with the powers and duties established by law. The
 117.13 board is composed of the following voting members:

117.14 (1) the commissioner of human services or a designee;

117.15 (2) the commissioner of health or a designee;

117.16 (3) the commissioner of labor and industry or a designee;

117.17 (4) three members who represent nursing home employers or employer organizations,
 117.18 appointed by the governor in accordance with section 15.066; and

117.19 (5) three members who represent nursing home workers or worker organizations,
 117.20 appointed by the governor in accordance with section 15.066.

117.21 (b) In making appointments under clause (4), the governor shall consider the geographic
 117.22 distribution of nursing homes within the state.

117.23 Subd. 2. **Terms; vacancies.** (a) Board members appointed under subdivision 1, clause
 117.24 (4) or (5), shall serve four-year terms following the initial staggered-lot determination.

117.25 (b) For members appointed under subdivision 1, clause (4) or (5), the governor shall fill
 117.26 vacancies occurring prior to the expiration of a member's term by appointment for the
 117.27 unexpired term. A member appointed under subdivision 1, clause (4) or (5), must not be
 117.28 appointed to more than two consecutive terms.

117.29 (c) A member serves until a successor is appointed.

117.30 Subd. 3. **Chairperson.** The board shall elect a member by majority vote to serve as its
 117.31 chairperson and shall determine the term to be served by the chairperson.

118.1 Subd. 4. **Staffing.** The commissioner may employ an executive director for the board
118.2 and other personnel to carry out duties of the board under sections 181.211 to 181.217.

118.3 Subd. 5. **Board compensation.** Compensation of board members is governed by section
118.4 15.0575.

118.5 Subd. 6. **Application of other laws.** Meetings of the board are subject to chapter 13D.
118.6 The board is subject to chapter 13. The board shall comply with section 15.0597.

118.7 Subd. 7. **Voting.** The affirmative vote of five board members is required for the board
118.8 to take any action, including actions necessary to establish minimum nursing home
118.9 employment standards under section 181.213.

118.10 Subd. 8. **Hearings and investigations.** To carry out its duties, the board shall hold public
118.11 hearings on, and conduct investigations into, working conditions in the nursing home industry
118.12 in accordance with section 181.213.

118.13 Subd. 9. **Department support.** The commissioner shall provide staff support to the
118.14 board. The support includes professional, legal, technical, and clerical staff necessary to
118.15 perform rulemaking and other duties assigned to the board. The commissioner shall supply
118.16 necessary office space and supplies to assist the board in its duties.

118.17 Subd. 10. **Antitrust compliance.** The board shall establish operating procedures that
118.18 meet all state and federal antitrust requirements and may prohibit board member access to
118.19 data to meet the requirements of this subdivision.

118.20 Subd. 11. **Annual report.** By December 1, 2023, and each December 1 thereafter, the
118.21 executive director of the board shall submit a report to the chairs and ranking minority
118.22 members of the house of representatives and senate committees with jurisdiction over labor
118.23 and human services on any actions taken and any standards adopted by the board.

118.24 Sec. 5. **[181.213] DUTIES OF THE BOARD; MINIMUM NURSING HOME**
118.25 **EMPLOYMENT STANDARDS.**

118.26 Subdivision 1. **Authority to establish minimum nursing home employment**
118.27 **standards.** (a) The board must adopt rules establishing minimum nursing home employment
118.28 standards that are reasonably necessary and appropriate to protect the health and welfare
118.29 of nursing home workers, to ensure that nursing home workers are properly trained about
118.30 and fully informed of their rights under sections 181.211 to 181.217, and to otherwise satisfy
118.31 the purposes of sections 181.211 to 181.217. Standards established by the board must include
118.32 standards on compensation for nursing home workers, and may include recommendations
118.33 under paragraph (c). The board may not adopt standards that are less protective of or

119.1 beneficial to nursing home workers as any other applicable statute or rule or any standard
119.2 previously established by the board unless there is a determination by the board under
119.3 subdivision 2 that existing standards exceed the operating payment rate and external fixed
119.4 costs payment rates included in the most recent budget and economic forecast completed
119.5 under section 16A.103. In establishing standards under this section, the board must establish
119.6 statewide standards, and may adopt standards that apply to specific nursing home occupations.

119.7 (b) The board must adopt rules establishing initial standards for wages for nursing home
119.8 workers no later than August 1, 2024. The board may use the authority in section 14.389
119.9 to adopt rules under this paragraph. The board shall consult with the department in the
119.10 development of these standards prior to beginning the rule adoption process.

119.11 (c) To the extent that any minimum standards that the board finds are reasonably
119.12 necessary and appropriate to protect the health and welfare of nursing home workers fall
119.13 within the jurisdiction of chapter 182, the board shall not adopt rules establishing the
119.14 standards but shall instead recommend the occupational health and safety standards to the
119.15 commissioner. The commissioner shall adopt nursing home health and safety standards
119.16 under section 182.655 as recommended by the board, unless the commissioner determines
119.17 that the recommended standard is outside the statutory authority of the commissioner,
119.18 presents enforceability challenges, is infeasible to implement, or is otherwise unlawful and
119.19 issues a written explanation of this determination.

119.20 Subd. 2. **Investigation of market conditions.** (a) The board must investigate market
119.21 conditions and the existing wages, benefits, and working conditions of nursing home workers
119.22 for specific geographic areas of the state and specific nursing home occupations. Based on
119.23 this information, the board must seek to adopt minimum nursing home employment standards
119.24 that meet or exceed existing industry conditions for a majority of nursing home workers in
119.25 the relevant geographic area and nursing home occupation. Except for standards exceeding
119.26 the threshold determined in paragraph (d), initial employment standards established by the
119.27 board are effective beginning January 1, 2025, and shall remain in effect until any subsequent
119.28 standards are adopted by rules.

119.29 (b) The board must consider the following types of information in making determinations
119.30 that employment standards are reasonably necessary to protect the health and welfare of
119.31 nursing home workers:

119.32 (1) wage rate and benefit data collected by or submitted to the board for nursing home
119.33 workers in the relevant geographic area and nursing home occupations;

120.1 (2) statements showing wage rates and benefits paid to nursing home workers in the
120.2 relevant geographic area and nursing home occupations;

120.3 (3) signed collective bargaining agreements applicable to nursing home workers in the
120.4 relevant geographic area and nursing home occupations;

120.5 (4) testimony and information from current and former nursing home workers, worker
120.6 organizations, nursing home employers, and employer organizations;

120.7 (5) local minimum nursing home employment standards;

120.8 (6) information submitted by or obtained from state and local government entities; and

120.9 (7) any other information pertinent to establishing minimum nursing home employment
120.10 standards.

120.11 (c) In considering wage and benefit increases, the board must determine the impact of
120.12 nursing home operating payment rates determined pursuant to section 256R.21, subdivision
120.13 3, and the employee benefits portion of the external fixed costs payment rate determined
120.14 pursuant to section 256R.25. If the board, in consultation with the commissioner of human
120.15 services, determines the operating payment rate and employee benefits portion of the external
120.16 fixed costs payment rate will increase to comply with the new employment standards, the
120.17 board shall report to the legislature the increase in funding needed to increase payment rates
120.18 to comply with the new employment standards and must make implementation of any new
120.19 nursing home employment standards contingent upon an appropriation, as determined by
120.20 sections 256R.21 and 256R.25, to fund the rate increase necessary to comply with the new
120.21 employment standards.

120.22 (d) In evaluating the impact of the employment standards on payment rates determined
120.23 by sections 256R.21 and 256R.25, the board, in consultation with the commissioner of
120.24 human services, must consider the following:

120.25 (1) the statewide average wage rates for employees pursuant to section 256R.10,
120.26 subdivision 5, and benefit rates pursuant to section 256R.02, subdivisions 18 and 22, as
120.27 determined by the annual Medicaid cost report used to determine the operating payment
120.28 rate and the employee benefits portion of the external fixed costs payment rate for the first
120.29 day of the calendar year immediately following the date the board has established minimum
120.30 wage and benefit levels;

120.31 (2) compare the results of clause (1) to the operating payment rate and employee benefits
120.32 portion of the external fixed costs payment rate increase for the first day of the second

121.1 calendar year after the adoption of any nursing home employment standards included in the
121.2 most recent budget and economic forecast completed under section 16A.103; and

121.3 (3) if the established nursing home employment standards result in an increase in costs
121.4 that exceed the operating payment rate and external fixed costs payment rate increase
121.5 included in the most recent budget and economic forecast completed under section 16A.103,
121.6 effective on the proposed implementation date of the new nursing home employment
121.7 standards, the board must determine if the rates will need to be increased to meet the new
121.8 employment standards and the standards must not be effective until an appropriation sufficient
121.9 to cover the rate increase and federal approval of the rate increase is obtained.

121.10 (e) The budget and economic forecasts completed under section 16A.103 shall not
121.11 assume an increase in payment rates determined under chapter 256R resulting from the new
121.12 employment standards until the board certifies the rates will need to be increased and the
121.13 legislature appropriates funding for the increase in payment rates.

121.14 Subd. 3. **Review of standards.** At least once every two years, the board shall:

121.15 (1) conduct a full review of the adequacy of the minimum nursing home employment
121.16 standards previously established by the board; and

121.17 (2) following that review, adopt new rules, amend or repeal existing rules, or make
121.18 recommendations to adopt new rules or amend or repeal existing rules for minimum nursing
121.19 home employment standards using the expedited rulemaking process in section 14.389, as
121.20 appropriate to meet the purposes of sections 181.211 to 181.217.

121.21 Subd. 4. **Variance and waiver.** The board shall adopt procedures for considering
121.22 temporary variances and waivers of the established standards for individual nursing homes
121.23 based on the board's evaluation of the risk of closure due to compliance with all or part of
121.24 an applicable standard.

121.25 Subd. 5. **Conflict.** (a) In the event of a conflict between a standard established by the
121.26 board in rule and a rule adopted by another state agency, the rule adopted by the board shall
121.27 apply to nursing home workers and nursing home employers.

121.28 (b) Notwithstanding paragraph (a), in the event of a conflict between a standard
121.29 established by the board in rule and a rule adopted by another state agency, the rule adopted
121.30 by the other state agency shall apply to nursing home workers and nursing home employers
121.31 if the rule adopted by the other state agency is adopted after the board's standard and the
121.32 rule adopted by the other state agency is more protective or beneficial than the board's
121.33 standard.

122.1 (c) Notwithstanding paragraph (a), if the commissioner of health determines that a
 122.2 standard established by the board in rule or recommended by the board conflicts with
 122.3 requirements in federal regulations for nursing home certification or with state statutes or
 122.4 rules governing licensure of nursing homes, the federal regulations or state nursing home
 122.5 licensure statutes or rules shall take precedence, and the conflicting board standard or rule
 122.6 shall not apply to nursing home workers or nursing home employers.

122.7 Subd. 6. **Effect on other agreements.** Nothing in sections 181.211 to 181.217 shall be
 122.8 construed to:

122.9 (1) limit the rights of parties to a collective bargaining agreement to bargain and agree
 122.10 with respect to nursing home employment standards; or

122.11 (2) diminish the obligation of a nursing home employer to comply with any contract,
 122.12 collective bargaining agreement, or employment benefit program or plan that meets or
 122.13 exceeds, and does not conflict with, the minimum standards and requirements in sections
 122.14 181.211 to 181.217 or established by the board.

122.15 Sec. 6. **[181.214] DUTIES OF THE BOARD; TRAINING FOR NURSING HOME**
 122.16 **WORKERS.**

122.17 Subdivision 1. **Certification of worker organizations.** The board shall certify worker
 122.18 organizations that it finds are qualified to provide training to nursing home workers according
 122.19 to this section. The board shall by rule establish certification criteria that a worker
 122.20 organization must meet in order to be certified and provide a process for renewal of
 122.21 certification upon the board's review of the worker organization's compliance with this
 122.22 section. In adopting rules to establish certification criteria under this subdivision, the board
 122.23 may use the authority in section 14.389. The criteria must ensure that a worker organization,
 122.24 if certified, is able to provide:

122.25 (1) effective, interactive training on the information required by this section; and

122.26 (2) follow-up written materials and responses to inquiries from nursing home workers
 122.27 in the languages in which nursing home workers are proficient.

122.28 Subd. 2. **Curriculum.** (a) The board shall establish requirements for the curriculum for
 122.29 the nursing home worker training required by this section. A curriculum must at least provide
 122.30 the following information to nursing home workers:

122.31 (1) the applicable compensation and working conditions in the minimum standards or
 122.32 local minimum standards established by the board;

- 123.1 (2) the antiretaliation protections established in section 181.216;
- 123.2 (3) information on how to enforce sections 181.211 to 181.217 and on how to report
123.3 violations of sections 181.211 to 181.217 or of standards established by the board, including
123.4 contact information for the Department of Labor and Industry, the board, and any local
123.5 enforcement agencies, and information on the remedies available for violations;
- 123.6 (4) the purposes and functions of the board and information on upcoming hearings,
123.7 investigations, or other opportunities for nursing home workers to become involved in board
123.8 proceedings;
- 123.9 (5) other rights, duties, and obligations under sections 181.211 to 181.217;
- 123.10 (6) any updates or changes to the information provided according to clauses (1) to (5)
123.11 since the most recent training session;
- 123.12 (7) any other information the board deems appropriate to facilitate compliance with
123.13 sections 181.211 to 181.217; and
- 123.14 (8) information on labor standards in other applicable local, state, and federal laws, rules,
123.15 and ordinances regarding nursing home working conditions or nursing home worker health
123.16 and safety.
- 123.17 (b) Before establishing initial curriculum requirements, the board must hold at least one
123.18 public hearing to solicit input on the requirements.
- 123.19 Subd. 3. **Topics covered in training session.** A certified worker organization is not
123.20 required to cover all of the topics listed in subdivision 2 in a single training session. A
123.21 curriculum used by a certified worker organization may provide instruction on each topic
123.22 listed in subdivision 2 over the course of up to three training sessions.
- 123.23 Subd. 4. **Annual review of curriculum requirements.** The board must review the
123.24 adequacy of its curriculum requirements at least annually and must revise the requirements
123.25 as appropriate to meet the purposes of sections 181.211 to 181.217. As part of each annual
123.26 review of the curriculum requirements, the board must hold at least one public hearing to
123.27 solicit input on the requirements.
- 123.28 Subd. 5. **Duties of certified worker organizations.** A certified worker organization:
- 123.29 (1) must use a curriculum for its training sessions that meets requirements established
123.30 by the board;
- 123.31 (2) must provide trainings that are interactive and conducted in the languages in which
123.32 the attending nursing home workers are proficient;

124.1 (3) must, at the end of each training session, provide attending nursing home workers
 124.2 with follow-up written or electronic materials on the topics covered in the training session,
 124.3 in order to fully inform nursing home workers of their rights and opportunities under sections
 124.4 181.211 to 181.217;

124.5 (4) must make itself reasonably available to respond to inquiries from nursing home
 124.6 workers during and after training sessions; and

124.7 (5) may conduct surveys of nursing home workers who attend a training session to assess
 124.8 the effectiveness of the training session and industry compliance with sections 181.211 to
 124.9 181.217 and other applicable laws, rules, and ordinances governing nursing home working
 124.10 conditions or worker health and safety.

124.11 Subd. 6. **Nursing home employer duties regarding training.** (a) A nursing home
 124.12 employer must submit written documentation to the board to certify that every two years
 124.13 each of its nursing home workers completes one hour of training that meets the requirements
 124.14 of this section and is provided by a certified worker organization. A nursing home employer
 124.15 may, but is not required to, host training sessions on the premises of the nursing home.

124.16 (b) If requested by a certified worker organization, a nursing home employer must, after
 124.17 a training session provided by the certified worker organization, provide the certified worker
 124.18 organization with the names and contact information of the nursing home workers who
 124.19 attended the training session, unless a nursing home worker opts out according to paragraph
 124.20 (c).

124.21 (c) A nursing home worker may opt out of having the worker's nursing home employer
 124.22 provide the worker's name and contact information to a certified worker organization that
 124.23 provided a training session attended by the worker by submitting a written statement to that
 124.24 effect to the nursing home employer.

124.25 Subd. 7. **Training compensation.** A nursing home employer must compensate its nursing
 124.26 home workers at their regular hourly rate of wages and benefits for each hour of training
 124.27 completed as required by this section and reimburse any reasonable travel expenses associated
 124.28 with attending training sessions not held on the premises of the nursing home.

124.29 Sec. 7. **[181.215] REQUIRED NOTICES.**

124.30 Subdivision 1. **Provision of notice.** (a) Nursing home employers must provide notices
 124.31 informing nursing home workers of the rights and obligations provided under sections
 124.32 181.211 to 181.217 of applicable minimum nursing home employment standards and local
 124.33 minimum standards and that for assistance and information, nursing home workers should

125.1 contact the Department of Labor and Industry. A nursing home employer must provide
 125.2 notice using the same means that the nursing home employer uses to provide other
 125.3 work-related notices to nursing home workers. Provision of notice must be at least as
 125.4 conspicuous as:

125.5 (1) posting a copy of the notice at each work site where nursing home workers work
 125.6 and where the notice may be readily seen and reviewed by all nursing home workers working
 125.7 at the site; or

125.8 (2) providing a paper or electronic copy of the notice to all nursing home workers and
 125.9 applicants for employment as a nursing home worker.

125.10 (b) The notice required by this subdivision must include text provided by the board that
 125.11 informs nursing home workers that they may request the notice to be provided in a particular
 125.12 language. The nursing home employer must provide the notice in the language requested
 125.13 by the nursing home worker. The board must assist nursing home employers in translating
 125.14 the notice in the languages requested by their nursing home workers.

125.15 Subd. 2. **Minimum content and posting requirements.** The board must adopt rules
 125.16 under section 14.389 specifying the minimum content and posting requirements for the
 125.17 notices required in subdivision 1. The board must make available to nursing home employers
 125.18 a template or sample notice that satisfies the requirements of this section and rules adopted
 125.19 under this section.

125.20 **Sec. 8. [181.216] RETALIATION PROHIBITED.**

125.21 (a) A nursing home employer shall not discharge, discipline, penalize, interfere with,
 125.22 threaten, restrain, coerce, or otherwise retaliate or discriminate against a nursing home
 125.23 worker because the person has exercised or attempted to exercise rights protected under
 125.24 this act, including but not limited to:

125.25 (1) exercising any right afforded to the nursing home worker under sections 181.211 to
 125.26 181.217;

125.27 (2) participating in any process or proceeding under sections 181.211 to 181.217,
 125.28 including but not limited to board hearings, board or department investigations, or other
 125.29 related proceedings; or

125.30 (3) attending or participating in the training required by section 181.214.

125.31 (b) It shall be unlawful for an employer to:

126.1 (1) inform another employer that a nursing home worker or former nursing home worker
126.2 has engaged in activities protected under sections 181.211 to 181.217; or

126.3 (2) report or threaten to report the actual or suspected citizenship or immigration status
126.4 of a nursing home worker, former nursing home worker, or family member of a nursing
126.5 home worker to a federal, state, or local agency for exercising or attempting to exercise any
126.6 right protected under this act.

126.7 (c) A person found to have experienced retaliation in violation of this section shall be
126.8 entitled to back pay and reinstatement to the person's previous position, wages, benefits,
126.9 hours, and other conditions of employment.

126.10 **Sec. 9. [181.217] ENFORCEMENT.**

126.11 Subdivision 1. **Minimum nursing home employment standards.** Except as provided
126.12 in section 181.213, subdivision 4, paragraph (b) or (c), the minimum wages and other
126.13 compensation established by the board in rule as minimum nursing home employment
126.14 standards shall be the minimum wages and other compensation for nursing home workers
126.15 or a subgroup of nursing home workers as a matter of state law. Except as provided in
126.16 section 181.213, subdivision 4, paragraph (b) or (c), it shall be unlawful for a nursing home
126.17 employer to employ a nursing home worker for lower wages or other compensation than
126.18 that established as the minimum nursing home employment standards.

126.19 Subd. 2. **Investigations.** The commissioner may investigate possible violations of sections
126.20 181.214 to 181.217 or of the minimum nursing home employment standards established by
126.21 the board whenever it has cause to believe that a violation has occurred, either on the basis
126.22 of a report of a suspected violation or on the basis of any other credible information, including
126.23 violations found during the course of an investigation.

126.24 Subd. 3. **Civil action by nursing home worker.** (a) One or more nursing home workers
126.25 may bring a civil action in district court seeking redress for violations of sections 181.211
126.26 to 181.217 or of any applicable minimum nursing home employment standards or local
126.27 minimum nursing home employment standards. Such an action may be filed in the district
126.28 court of the county where a violation or violations are alleged to have been committed or
126.29 where the nursing home employer resides, or in any other court of competent jurisdiction,
126.30 and may represent a class of similarly situated nursing home workers.

126.31 (b) Upon a finding of one or more violations, a nursing home employer shall be liable
126.32 to each nursing home worker for the full amount of the wages, benefits, and overtime
126.33 compensation, less any amount the nursing home employer is able to establish was actually

127.1 paid to each nursing home worker, and for an additional equal amount as liquidated damages.
127.2 In an action under this subdivision, nursing home workers may seek damages and other
127.3 appropriate relief provided by section 177.27, subdivision 7, or otherwise provided by law,
127.4 including reasonable costs, disbursements, witness fees, and attorney fees. A court may also
127.5 issue an order requiring compliance with sections 181.211 to 181.217 or with the applicable
127.6 minimum nursing home employment standards or local minimum nursing home employment
127.7 standards. A nursing home worker found to have experienced retaliation in violation of
127.8 section 181.216 shall be entitled to back pay and reinstatement to the worker's previous
127.9 position, wages, benefits, hours, and other conditions of employment.

127.10 (c) An agreement between a nursing home employer and nursing home worker or labor
127.11 union that fails to meet the minimum standards and requirements in sections 181.211 to
127.12 181.217 or established by the board is not a defense to an action brought under this
127.13 subdivision.

127.14 **Sec. 10. INITIAL APPOINTMENTS.**

127.15 The governor shall make initial appointments to the Minnesota Nursing Home Workforce
127.16 Standards Board under Minnesota Statutes, section 181.212, no later than August 1, 2023.
127.17 Notwithstanding Minnesota Statutes, section 181.212, subdivision 2, the initial terms of
127.18 members appointed under Minnesota Statutes, section 181.212, subdivision 1, clauses (4)
127.19 and (5), shall be determined by lot by the secretary of state and shall be as follows:

127.20 (1) one member appointed under each of Minnesota Statutes, section 181.212, subdivision
127.21 1, clauses (4) and (5), shall serve a two-year term;

127.22 (2) one member appointed under each of Minnesota Statutes, section 181.212, subdivision
127.23 1, clauses (4) and (5), shall serve a three-year term; and

127.24 (3) one member appointed under each of Minnesota Statutes, section 181.212, subdivision
127.25 1, clauses (4) and (5), shall serve a four-year term.

127.26 The commissioner of labor and industry must convene the first meeting within 30 days after
127.27 the governor completes appointments to the board. The board must elect a chair at its first
127.28 meeting.

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

128.1

ARTICLE 9

128.2

COMBATIVE SPORTS

128.3 Section 1. Minnesota Statutes 2022, section 341.21, subdivision 2a, is amended to read:

128.4 Subd. 2a. **Combatant.** "Combatant" means an individual who employs the act of attack
128.5 and defense as a professional boxer, professional or amateur tough person, ~~martial artist~~
128.6 professional or amateur kickboxer, or professional or amateur mixed martial artist while
128.7 engaged in a combative sport.

128.8 Sec. 2. Minnesota Statutes 2022, section 341.21, subdivision 2b, is amended to read:

128.9 Subd. 2b. **Combative sport.** "Combative sport" means a sport that employs the act of
128.10 attack and defense with the fists, with or without using padded gloves, or feet that is practiced
128.11 as a sport under the rules of the Association of Boxing Commissions, unified rules for mixed
128.12 martial arts, or their equivalent. Combative sports include professional boxing ~~and,~~
128.13 professional and amateur tough person, professional or amateur kickboxing, and professional
128.14 and amateur mixed martial arts contests.

128.15 Sec. 3. Minnesota Statutes 2022, section 341.21, subdivision 2c, is amended to read:

128.16 Subd. 2c. **Combative sports contest.** "Combative sports contest" means a professional
128.17 boxing, a professional or amateur tough person, a professional or amateur kickboxing, or
128.18 a professional or amateur ~~martial art contest~~ or mixed martial arts contest, bout, competition,
128.19 match, or exhibition.

128.20 Sec. 4. Minnesota Statutes 2022, section 341.21, subdivision 4f, is amended to read:

128.21 Subd. 4f. **Martial art.** "Martial art" means a variety of weaponless disciplines of combat
128.22 or self-defense that utilize physical skill and coordination, and are practiced as combat
128.23 sports. The disciplines include, but are not limited to, Wing Chun, ~~kickboxing~~, Tae kwon
128.24 do, savate, karate, ~~Muay Thai~~, sanshou, Jiu Jitsu, judo, ninjitsu, kung fu, Brazilian Jiu Jitsu,
128.25 wrestling, grappling, tai chi, and other weaponless martial arts disciplines.

128.26 Sec. 5. Minnesota Statutes 2022, section 341.21, is amended by adding a subdivision to
128.27 read:

128.28 Subd. 4i. **Kickboxing.** "Kickboxing" means the act of attack and defense with the fists
128.29 using padded gloves and bare feet.

129.1 Sec. 6. Minnesota Statutes 2022, section 341.21, subdivision 7, is amended to read:

129.2 Subd. 7. **Tough person contest.** "Tough person contest," including contests marketed
 129.3 as tough man or tough woman contests, means a ~~contest of two-minute rounds consisting~~
 129.4 ~~of not more than four rounds between two or more individuals who use their hands, or their~~
 129.5 ~~feet, or both in any manner. Tough person contest includes kickboxing and other recognized~~
 129.6 ~~martial art contest~~ boxing match or similar contest where each combatant wears headgear
 129.7 and gloves that weigh at least 12 ounces.

129.8 Sec. 7. Minnesota Statutes 2022, section 341.221, is amended to read:

129.9 **341.221 ADVISORY COUNCIL.**

129.10 (a) The commissioner must appoint a Combative Sports Advisory Council to advise the
 129.11 commissioner on the administration of duties under this chapter.

129.12 (b) The council shall have ~~nine~~ five members appointed by the commissioner. ~~One~~
 129.13 ~~member must be a retired judge of the Minnesota District Court, Minnesota Court of Appeals,~~
 129.14 ~~Minnesota Supreme Court, the United States District Court for the District of Minnesota,~~
 129.15 ~~or the Eighth Circuit Court of Appeals. At least four~~ All five members must have knowledge
 129.16 ~~of the boxing industry. At least four members must have knowledge of the mixed martial~~
 129.17 ~~arts industry~~ combative sports. The commissioner shall make serious efforts to appoint
 129.18 qualified women to serve on the council.

129.19 ~~(e) Council members shall serve terms of four years with the terms ending on the first~~
 129.20 ~~Monday in January.~~

129.21 ~~(d)~~ (c) The council shall annually elect from its membership a chair.

129.22 ~~(e)~~ (d) Meetings shall be convened by the commissioner, or by the chair with the approval
 129.23 of the commissioner.

129.24 ~~(f) The commissioner shall designate two of the members to serve until the first Monday~~
 129.25 ~~in January 2013; two members to serve until the first Monday in January 2014; two members~~
 129.26 ~~to serve until the first Monday in January 2015; and three members to serve until the first~~
 129.27 ~~Monday in January 2016.~~

129.28 (e) Appointments to the council and the terms of council members are governed by
 129.29 sections 15.059 and 15.0597.

129.30 ~~(g)~~ (f) Removal of members, filling of vacancies, and compensation of members shall
 129.31 be as provided in section 15.059.

130.1 (g) Meetings convened for the purpose of advising the commissioner on issues related
 130.2 to a challenge filed under section 341.345 are exempt from the open meeting requirements
 130.3 of chapter 13D.

130.4 Sec. 8. Minnesota Statutes 2022, section 341.25, is amended to read:

130.5 **341.25 RULES.**

130.6 (a) The commissioner may adopt rules that include standards for the physical examination
 130.7 and condition of combatants and referees.

130.8 (b) The commissioner may adopt other rules necessary to carry out the purposes of this
 130.9 chapter, including, but not limited to, the conduct of all combative sport contests and their
 130.10 manner, supervision, time, and place.

130.11 ~~(e) The commissioner must adopt unified rules for mixed martial arts contests.~~

130.12 ~~(d) The commissioner may adopt the rules of the Association of Boxing Commissions,~~
 130.13 ~~with amendments.~~

130.14 ~~(e)~~ (c) The most recent version of the Unified Rules of Mixed Martial Arts, as
 130.15 promulgated by the Association of Boxing Commissions ~~and amended August 2, 2016, are,~~
 130.16 is incorporated by reference and made a part of this chapter except as qualified by this
 130.17 chapter and Minnesota Rules, chapter 2202. In the event of a conflict between this chapter
 130.18 and the Unified Rules, this chapter must govern.

130.19 (d) The most recent version of the Unified Rules of Boxing, as promulgated by the
 130.20 Association of Boxing Commissions, is incorporated by reference and made a part of this
 130.21 chapter except as qualified by this chapter and Minnesota Rules, chapter 2201. In the event
 130.22 of a conflict between this chapter and the Unified Rules, this chapter must govern.

130.23 (e) The most recent version of the Unified Rules of Kickboxing, as promulgated by the
 130.24 Association of Boxing Commissions, is incorporated by reference and made a part of this
 130.25 chapter except as qualified by this chapter and any applicable Minnesota Rules. In the event
 130.26 of a conflict between this chapter and the Unified Rules, this chapter must govern.

130.27 Sec. 9. Minnesota Statutes 2022, section 341.27, is amended to read:

130.28 **341.27 COMMISSIONER DUTIES.**

130.29 The commissioner shall:

130.30 (1) issue, deny, renew, suspend, or revoke licenses;

131.1 (2) make and maintain records of its acts and proceedings including the issuance, denial,
131.2 renewal, suspension, or revocation of licenses;

131.3 (3) keep public records of the council open to inspection at all reasonable times;

131.4 (4) develop rules to be implemented under this chapter;

131.5 (5) conform to the rules adopted under this chapter;

131.6 (6) develop policies and procedures for regulating boxing, kickboxing, and mixed martial
131.7 arts;

131.8 (7) approve regulatory bodies to oversee martial arts and amateur boxing contests under
131.9 section 341.28, subdivision 5;

131.10 ~~(7)~~ (8) immediately suspend an individual license for a medical condition, including but
131.11 not limited to a medical condition resulting from an injury sustained during a match, bout,
131.12 or contest that has been confirmed by the ringside physician. The medical suspension must
131.13 be lifted after the commissioner receives written information from a physician licensed in
131.14 the home state of the licensee indicating that the combatant may resume competition, and
131.15 any other information that the commissioner may by rule require. Medical suspensions are
131.16 not subject to section 326B.082 or the contested case procedures provided in sections 14.57
131.17 to 14.69; and

131.18 ~~(8)~~ (9) immediately suspend an individual combatant license for a mandatory rest period,
131.19 which must commence at the conclusion of every combative sports contest in which the
131.20 license holder competes and does not receive a medical suspension. A rest suspension must
131.21 automatically lift after 14 calendar days from the date the combative sports contest passed
131.22 without notice or additional proceedings. Rest suspensions are not subject to section 326B.082
131.23 or the contested case procedures provided in sections 14.57 to 14.69.

131.24 Sec. 10. Minnesota Statutes 2022, section 341.28, subdivision 2, is amended to read:

131.25 Subd. 2. **Regulatory authority; tough person contests.** All professional and amateur
131.26 tough person contests are subject to this chapter. All tough person contests are subject to
131.27 the most recent version of the Unified Rules of Boxing, as promulgated by the Association
131.28 of Boxing Commissions rules. Every contestant in a tough person contest shall have a
131.29 physical examination prior to their bouts. Every contestant in a tough person contest shall
131.30 wear headgear and padded gloves that weigh at least 12 ounces. ~~All tough person bouts are~~
131.31 ~~limited to two-minute rounds and a maximum of four total rounds.~~ Officials at all tough
131.32 person contests shall be licensed under this chapter.

132.1 Sec. 11. Minnesota Statutes 2022, section 341.28, subdivision 3, is amended to read:

132.2 Subd. 3. **Regulatory authority; mixed martial arts contests; ~~similar sporting~~**
 132.3 **events.** All professional and amateur mixed martial arts contests, ~~martial arts contests except~~
 132.4 ~~amateur contests regulated by the Minnesota State High School League (MSHSL), recognized~~
 132.5 ~~martial arts studios and schools in Minnesota, and recognized national martial arts~~
 132.6 ~~organizations holding contests between students, ultimate fight contests, and similar sporting~~
 132.7 ~~events~~ are subject to this chapter and all officials at these events must be licensed under this
 132.8 chapter.

132.9 Sec. 12. Minnesota Statutes 2022, section 341.28, is amended by adding a subdivision to
 132.10 read:

132.11 Subd. 4. **Regulatory authority; kickboxing contests.** All professional and amateur
 132.12 kickboxing contests are subject to this chapter and all officials at these events must be
 132.13 licensed under this chapter.

132.14 Sec. 13. Minnesota Statutes 2022, section 341.28, is amended by adding a subdivision to
 132.15 read:

132.16 Subd. 5. **Regulatory authority; martial arts and amateur boxing.** (a) Unless this
 132.17 chapter specifically states otherwise, contests or exhibitions for martial arts and amateur
 132.18 boxing are exempt from the requirements of this chapter and officials at these events are
 132.19 not required to be licensed under this chapter.

132.20 (b) Martial arts and amateur boxing contests, unless subject to the exceptions set forth
 132.21 in subdivision 7, must be regulated by a nationally recognized organization approved by
 132.22 the commissioner. The organization must have a set of written standards, procedures, or
 132.23 rules used to sanction the combative sports it oversees.

132.24 (c) Any regulatory body overseeing a martial arts or amateur boxing event must submit
 132.25 bout results to the commissioner within 72 hours after the event. If the regulatory body
 132.26 issues suspensions, the regulatory body must submit to the commissioner a list of any
 132.27 suspensions resulting from the event within 72 hours after the event. Regulatory bodies that
 132.28 oversee combative sports or martial arts contests under subdivision 6 are not subject to this
 132.29 paragraph.

133.1 Sec. 14. Minnesota Statutes 2022, section 341.28, is amended by adding a subdivision to
 133.2 read:

133.3 Subd. 6. **Regulatory authority; certain students.** Combative sports or martial arts
 133.4 contests regulated by the Minnesota State High School League, National Collegiate Athletic
 133.5 Association, National Junior Collegiate Athletic Association, National Association of
 133.6 Intercollegiate Athletics, or any similar organization that governs interscholastic athletics
 133.7 are not subject to this chapter and officials at these events are not required to be licensed
 133.8 under this chapter.

133.9 Sec. 15. Minnesota Statutes 2022, section 341.30, subdivision 4, is amended to read:

133.10 Subd. 4. **Prelicensure requirements.** (a) Before the commissioner issues a promoter's
 133.11 license to an individual, corporation, or other business entity, the applicant shall, ~~a minimum~~
 133.12 ~~of six weeks before the combative sport contest is scheduled to occur,~~ complete a licensing
 133.13 application on the Office of Combative Sports website or on forms ~~furnished or approved~~
 133.14 prescribed by the commissioner and shall:

133.15 ~~(1) provide the commissioner with a copy of any agreement between a combatant and~~
 133.16 ~~the applicant that binds the applicant to pay the combatant a certain fixed fee or percentage~~
 133.17 ~~of the gate receipts;~~

133.18 ~~(2)~~ (1) show on the licensing application the owner or owners of the applicant entity and
 133.19 the percentage of interest held by each owner holding a 25 percent or more interest in the
 133.20 applicant;

133.21 ~~(3)~~ (2) provide the commissioner with a copy of the latest financial statement of the
 133.22 applicant;

133.23 ~~(4) provide the commissioner with a copy or other proof acceptable to the commissioner~~
 133.24 ~~of the insurance contract or policy required by this chapter;~~

133.25 ~~(5)~~ (3) provide proof, where applicable, of authorization to do business in the state of
 133.26 Minnesota; and

133.27 ~~(6)~~ (4) deposit with the commissioner a ~~cash bond or~~ surety bond in an amount set by
 133.28 the commissioner, which must not be less than \$10,000. The bond shall be executed in favor
 133.29 of this state and shall be conditioned on the faithful performance by the promoter of the
 133.30 promoter's obligations under this chapter and the rules adopted under it.

133.31 (b) Before the commissioner issues a license to a combatant, the applicant shall:

134.1 (1) submit to the commissioner the results of a current medical ~~examination~~ examinations
 134.2 on forms ~~furnished or approved~~ prescribed by the commissioner that state that the combatant
 134.3 is cleared to participate in a combative sport contest. The medical examination must include
 134.4 an ophthalmological and neurological examination, and documentation of test results for
 134.5 HBV, HCV, and HIV, and any other blood test as the commissioner by rule may require.
 134.6 ~~The ophthalmological examination must be designed to detect any retinal defects or other~~
 134.7 ~~damage or condition of the eye that could be aggravated by combative sports. The~~
 134.8 ~~neurological examination must include an electroencephalogram or medically superior test~~
 134.9 ~~if the combatant has been knocked unconscious in a previous contest. The commissioner~~
 134.10 ~~may also order an electroencephalogram or other appropriate neurological or physical~~
 134.11 ~~examination before any contest if it determines that the examination is desirable to protect~~
 134.12 ~~the health of the combatant. The commissioner shall not issue a license to an applicant~~
 134.13 ~~submitting positive test results for HBV, HCV, or HIV; The applicant must undergo and~~
 134.14 submit the results of the following medical examinations, which do not exempt a combatant
 134.15 from the requirements in section 341.33:

134.16 (i) a physical examination performed by a licensed medical doctor, doctor of osteopathic
 134.17 medicine, advance practice nurse practitioner, or a physician assistant. Physical examinations
 134.18 are valid for one year from the date of the exam;

134.19 (ii) an ophthalmological examination performed by an ophthalmologist or optometrist
 134.20 that includes dilation designed to detect any retinal defects or other damage or a condition
 134.21 of the eye that could be aggravated by combative sports. Ophthalmological examinations
 134.22 are valid for one year from the date of the exam;

134.23 (iii) blood work results for HBsAg (Hepatitis B surface antigen), HCV (Hepatitis C
 134.24 antibody), and HIV. Blood work results are good for one year from the date blood was
 134.25 drawn. The commissioner shall not issue a license to an applicant submitting positive test
 134.26 results for HBsAg, HCV, or HIV; and

134.27 (iv) other appropriate neurological or physical examinations before any contest, if the
 134.28 commissioner determines that the examination is desirable to protect the health of the
 134.29 combatant;

134.30 (2) complete a licensing application on the Office of Combative Sports website or on
 134.31 forms ~~furnished or approved~~ prescribed by the commissioner; and

134.32 (3) provide proof that the applicant is 18 years of age. Acceptable proof is a photo driver's
 134.33 license, state photo identification card, passport, or birth certificate combined with additional
 134.34 photo identification.

135.1 (c) Before the commissioner issues a license to a referee, judge, or timekeeper, the
 135.2 applicant must submit proof of qualifications that may include certified training from the
 135.3 Association of Boxing Commissions, licensure with other regulatory bodies, professional
 135.4 references, or a log of bouts worked.

135.5 (d) Before the commissioner issues a license to a ringside physician, the applicant must
 135.6 submit proof that they are licensed to practice medicine in the state of Minnesota and in
 135.7 good standing.

135.8 Sec. 16. Minnesota Statutes 2022, section 341.32, subdivision 2, is amended to read:

135.9 Subd. 2. **Expiration and application.** Licenses issued on or after January 1, 2023, shall
 135.10 expire annually on December 31 one year after the date of issuance. A license may be
 135.11 applied for each year by filing an application for licensure and satisfying all licensure
 135.12 requirements established in section 341.30, and submitting payment of the license fees
 135.13 established in section 341.321. An application for a license and renewal of a license must
 135.14 be on a form provided by the commissioner.

135.15 Sec. 17. Minnesota Statutes 2022, section 341.321, is amended to read:

135.16 **341.321 FEE SCHEDULE.**

135.17 (a) The fee schedule for professional and amateur licenses issued by the commissioner
 135.18 is as follows:

135.19 (1) referees, \$25;

135.20 (2) promoters, \$700;

135.21 (3) judges and knockdown judges, \$25;

135.22 (4) trainers and seconds, \$80;

135.23 (5) timekeepers, \$25;

135.24 (6) professional combatants, \$70;

135.25 (7) amateur combatants, \$50; and

135.26 (8) ringside physicians, \$25.

135.27 ~~License fees for promoters are due at least six weeks prior to the combative sport contest.~~

135.28 All ~~other~~ license fees shall be paid no later than the weigh-in prior to the contest. No license
 135.29 may be issued until all prelicensure requirements in section 341.30 are satisfied and fees
 135.30 are paid.

136.1 ~~(b) The commissioner shall establish a contest fee for each combative sport contest and~~
 136.2 ~~shall consider the size and type of venue when establishing a contest fee. The A promoter~~
 136.3 ~~or event organizer of an event regulated by the Department of Labor and Industry must pay,~~
 136.4 ~~per event, a combative sport contest fee is \$1,500 per event or not more than four percent~~
 136.5 ~~of the gross ticket sales, whichever is greater, as determined by the commissioner when the~~
 136.6 ~~combative sport contest is scheduled. The fee must be paid as follows:~~

136.7 ~~(c) A professional or amateur combative sport contest fee is nonrefundable and shall be~~
 136.8 ~~paid as follows:~~

136.9 (1) \$500 at the time the combative sport contest is scheduled; ~~and~~

136.10 (2) \$1,000 at the weigh-in prior to the contest;

136.11 (3) if four percent of the gross ticket sales is greater than \$1,500, the balance is due to
 136.12 the commissioner within 14 days of the completed contest; and

136.13 (4) the value of all complimentary tickets distributed for an event, to the extent they
 136.14 exceed five percent of total event attendance, counts toward gross tickets sales for the
 136.15 purposes of determining a combative sports contest fee. For purposes of this clause, the
 136.16 lowest advertised ticket price shall be used to calculate the value of complimentary tickets.

136.17 ~~If four percent of the gross ticket sales is greater than \$1,500, the balance is due to the~~
 136.18 ~~commissioner within seven days of the completed contest.~~

136.19 ~~(d) The commissioner may establish the maximum number of complimentary tickets~~
 136.20 ~~allowed for each event by rule.~~

136.21 ~~(e)~~ (c) All fees and penalties collected by the commissioner must be deposited in the
 136.22 commissioner account in the special revenue fund.

136.23 Sec. 18. **[341.322] PAYMENT SCHEDULE.**

136.24 The commissioner may establish a schedule of payments to be paid by a promoter to
 136.25 referees, judges and knockdown judges, timekeepers, and ringside physicians.

136.26 Sec. 19. **[341.323] EVENT APPROVAL.**

136.27 Subdivision 1. **Preapproval documentation.** Before the commissioner approves a
 136.28 combative sports contest, the promoter shall provide the commissioner, at least six weeks
 136.29 before the combative sport contest is scheduled to occur, information about the time, date,
 136.30 and location of the contest and at least 72 hours before the combative sport contest is
 136.31 scheduled to occur:

137.1 (1) a copy of any agreement between a combatant and the promoter that binds the
137.2 promoter to pay the combatant a certain fixed fee or percentage of the gate receipts;

137.3 (2) a copy or other proof acceptable to the commissioner of the insurance contract or
137.4 policy required by this chapter;

137.5 (3) proof acceptable to the commissioner that the promoter will provide, at the cost of
137.6 the promoter, at least one uniformed security guard or uniformed off-duty member of law
137.7 enforcement to provide security at any event regulated by the Department of Labor and
137.8 Industry. The commissioner may require a promoter to take additional security measures
137.9 to ensure the safety of participants and spectators at an event; and

137.10 (4) proof acceptable to the commissioner that the promoter will provide an ambulance
137.11 service as required by section 341.324.

137.12 Subd. 2. **Proper licensure.** Before the commissioner approves a combative sport contest,
137.13 the commissioner must ensure that the promoter is properly licensed under this chapter.
137.14 The promoter must maintain proper licensure from the time it schedules a combative sports
137.15 contest through the date of the contest.

137.16 Subd. 3. **Discretion.** Nothing in this section limits the commissioner's discretion in
137.17 deciding whether to approve a combative sport contest or event.

137.18 Sec. 20. **[341.324] AMBULANCE.**

137.19 A promoter must ensure, at the cost of the promoter, that a licensed ambulance service
137.20 with two emergency medical technicians is on the premises during a combative sports
137.21 contest.

137.22 Sec. 21. Minnesota Statutes 2022, section 341.33, is amended to read:

137.23 **341.33 PHYSICAL EXAMINATION REQUIRED; FEES.**

137.24 Subdivision 1. **Examination by physician.** All combatants must be examined by a
137.25 physician licensed by this state within 36 hours before entering the ring, and the examining
137.26 physician shall immediately file with the commissioner a written report of the examination.
137.27 The physician's examination may report on the condition of the combatant's heart and general
137.28 physical and general neurological condition. The physician's report may record the condition
137.29 of the combatant's nervous system and brain as required by the commissioner. The physician
137.30 may prohibit the combatant from entering the ring if, in the physician's professional opinion,
137.31 it is in the best interest of the combatant's health. The cost of the examination is payable by
137.32 the promoter conducting the contest or exhibition.

138.1 Subd. 2. **Attendance of physician.** A promoter holding or sponsoring a combative sport
138.2 contest shall have in attendance a physician licensed by ~~this state~~ Minnesota. ~~The~~
138.3 ~~commissioner may establish a schedule of fees to be paid to each attending physician by~~
138.4 ~~the promoter holding or sponsoring the contest.~~

138.5 Sec. 22. **[341.331] PROHIBITED PERFORMANCE ENHANCING SUBSTANCES**
138.6 **AND TESTING.**

138.7 **Subdivision 1. Performance enhancing substances and masking agents prohibited.** All
138.8 combatants are prohibited from using the substances listed in the following classes contained
138.9 in the World Anti-Doping Code published by the World Anti-Doping Agency, unless a
138.10 combatant meets an applicable exception set forth therein:

138.11 (1) S0, nonapproved substances;

138.12 (2) S1, anabolic agents;

138.13 (3) S2, peptide hormones, growth factors, and related substances and mimetics;

138.14 (4) S3, beta-2 agonists;

138.15 (5) S4, hormone and metabolic modulators; and

138.16 (6) S5, diuretics and masking agents.

138.17 **Subd. 2. Testing.** The commissioner may administer drug testing to discover violations
138.18 of subdivision 1 as follows:

138.19 (a) The commissioner may require a combatant to submit to a drug test to determine if
138.20 substances are present in the combatant's system in violation of subdivision 1. This testing
138.21 may occur at any time after the official weigh-in, on the day of the contest in which the
138.22 combatant is participating, or within 24 hours of competing in a combative sports contest
138.23 in a manner prescribed by the commissioner. The commissioner may require testing based
138.24 on reasonable cause or random selection. Grounds for reasonable cause includes observing
138.25 or receiving credible information that a combatant has used prohibited performance enhancing
138.26 drugs. If testing is based on random selection, both combatants competing in a selected bout
138.27 shall submit to a drug test.

138.28 (b) Specimens may include urine, hair samples, or blood. Specimens shall be tested at
138.29 a facility acceptable to the commissioner. Results of all drug tests shall be submitted directly
138.30 to the commissioner.

138.31 (c) The promoter shall pay the costs relating to drug testing combatants. Any requests
138.32 for follow-up or additional testing must be paid by the combatant.

139.1 Subd. 3. **Discipline.** (a) If a combatant fails to provide a sample for drug testing when
 139.2 required, and the request is made before a bout, the combatant shall not be allowed to
 139.3 compete in the bout. If the request is made after a bout, and the combatant fails to provide
 139.4 a sample for drug testing, the combatant shall be subject to disciplinary action under section
 139.5 341.29.

139.6 (b) If a combatant's specimen tests positive for any prohibited substances, the combatant
 139.7 shall be subject to disciplinary action under section 341.29.

139.8 (c) A combatant who is disciplined and was the winner of a bout shall be disqualified
 139.9 and the decision shall be changed to no contest. The results of a bout shall remain unchanged
 139.10 if a combatant who is disciplined was the loser of the bout.

139.11 Sec. 23. **[341.345] CHALLENGING THE OUTCOME OF A COMBATIVE SPORT**
 139.12 **CONTEST.**

139.13 Subdivision 1. **Challenge.** (a) If a combatant disagrees with the outcome of a combative
 139.14 sport contest regulated by the Department of Labor and Industry in which the combatant
 139.15 participated, the combatant may challenge the outcome.

139.16 (b) If a third party makes a challenge on behalf of a combatant, the third party must
 139.17 provide written confirmation that they are authorized to make the challenge on behalf of
 139.18 the combatant. The written confirmation must contain the combatant's signature and must
 139.19 be submitted with the challenge.

139.20 Subd. 2. **Form.** A challenge must be submitted on a form prescribed by the commissioner,
 139.21 set forth all relevant facts and the basis for the challenge, and state what remedy is being
 139.22 sought. A combatant may submit photos, videos, documents, or any other evidence the
 139.23 combatant would like the commissioner to consider in connection to the challenge. A
 139.24 combatant may challenge the outcome of a contest only if it is alleged that:

139.25 (1) the referee made an incorrect call or missed a rule violation that directly affected the
 139.26 outcome of the contest;

139.27 (2) there was collusion amongst officials to affect the outcome of the contest; or

139.28 (3) scores were miscalculated.

139.29 Subd. 3. **Timing.** A challenge must be submitted within ten days of the contest.

139.30 (a) For purposes of this subdivision, the day of the contest shall not count toward the
 139.31 ten-day period. If the tenth day falls on a Saturday, Sunday, or legal holiday, then a combatant

140.1 shall have until the next day that is not a Saturday, Sunday, or legal holiday to submit a
140.2 challenge.

140.3 (b) The challenge must be submitted to the commissioner at the address, fax number,
140.4 or email address designated on the commissioner's website. The date on which a challenge
140.5 is submitted by mail shall be the postmark date on the envelope in which the challenge is
140.6 mailed. If the challenge is faxed or emailed, it must be received by the commissioner by
140.7 4:30 p.m. Central Time on the day the challenge is due.

140.8 Subd. 4. **Opponent's response.** If the requirements of subdivisions 1 to 3 are met, the
140.9 commissioner shall send a complete copy of the challenge documents, along with any
140.10 supporting materials submitted, to the opposing combatant by mail, fax, or email. The
140.11 opposing combatant has 14 days from the date the commissioner sends the challenge and
140.12 supporting materials to submit a response to the commissioner. Additional response time
140.13 is not added when the commissioner sends the challenge to the opposing combatant by mail.
140.14 The opposing combatant may submit photos, videos, documents, or any other evidence the
140.15 opposing combatant would like the commissioner to consider in connection to the challenge.
140.16 The response must be submitted to the commissioner at the address, fax number, or email
140.17 address designated on the commissioner's website. The date on which a response is submitted
140.18 by mail is the postmark date on the envelope in which the response is mailed. If the response
140.19 is faxed or emailed, it must be received by the commissioner by 4:30 p.m. Central Time on
140.20 the day the response is due.

140.21 Subd. 5. **Licensed official review.** The commissioner may, if the commissioner
140.22 determines it would be helpful in resolving the issues raised in the challenge, send a complete
140.23 copy of the challenge or response, along with any supporting materials submitted, to any
140.24 licensed official involved in the combative sport contest at issue by mail, fax, or email and
140.25 request the official's views on the issues raised in the challenge.

140.26 Subd. 6. **Order.** The commissioner shall issue an order on the challenge within 60 days
140.27 after receiving the opposing combatant's response. If the opposing combatant does not
140.28 submit a response, the commissioner shall issue an order on the challenge within 75 days
140.29 after receiving the challenge.

140.30 Subd. 7. **Nonacceptance.** If the requirements of subdivisions 1 through 3 are not met,
140.31 the commissioner must not accept the challenge and may send correspondence to the person
140.32 who submitted the challenge stating the reasons for nonacceptance of the challenge. A
140.33 combatant has no further appeal rights if the combatant's challenge is not accepted by the
140.34 commissioner.

141.1 Subd. 8. **Administrative hearing.** After the commissioner issues an order under
 141.2 subdivision 6, each combatant under section 326B.082, subdivision 8, has 30 days after
 141.3 service of the order to submit a request for hearing before an administrative law judge.

141.4 Sec. 24. Minnesota Statutes 2022, section 341.355, is amended to read:

141.5 **341.355 CIVIL PENALTIES.**

141.6 When the commissioner finds that a person has violated one or more provisions of any
 141.7 statute, rule, or order that the commissioner is empowered to regulate, enforce, or issue, the
 141.8 commissioner may impose, for each violation, a civil penalty of up to \$10,000 for each
 141.9 violation, or a civil penalty that deprives the person of any economic advantage gained by
 141.10 the violation, or both. The commissioner may also impose these penalties against a person
 141.11 who has violated section 341.28, subdivision 5, paragraph (b) or (c).

141.12 **ARTICLE 10**

141.13 **LABOR POLICY**

141.14 Section 1. Minnesota Statutes 2022, section 116J.871, subdivision 2, is amended to read:

141.15 **Subd. 2. Prevailing wage required.** (a) A state agency may provide financial assistance
 141.16 to a person only if the person receiving or benefiting from the financial assistance certifies
 141.17 to the commissioner of labor and industry that laborers and mechanics at the project site
 141.18 during construction, installation, remodeling, and repairs for which the financial assistance
 141.19 was provided will be paid the prevailing wage rate as defined in section 177.42, subdivision
 141.20 6. The person receiving or benefiting from the financial assistance is also subject to the
 141.21 requirements and enforcement provisions of sections 177.27, 177.30, 177.32, 177.41 to
 141.22 177.435, and 177.45.

141.23 (b) For purposes of complying with section 177.30, paragraph (a), clauses (6) and (7),
 141.24 the state agency awarding the financial assistance is considered the contracting authority
 141.25 and the project is considered a public works project. The person receiving or benefiting
 141.26 from the financial assistance shall notify all employers on the project of the record keeping
 141.27 and reporting requirements in section 177.30, paragraph (a), clauses (6) and (7). Each
 141.28 employer shall submit the required information to the contracting authority.

141.29 Sec. 2. Minnesota Statutes 2022, section 175.16, subdivision 1, is amended to read:

141.30 **Subdivision 1. Established.** The Department of Labor and Industry shall consist of the
 141.31 following divisions: Division of Workers' Compensation, Division of Construction Codes
 141.32 and Licensing, Division of Occupational Safety and Health, Division of Statistics, Division

142.1 of Labor Standards, and Division of Apprenticeship, and such other divisions as the
142.2 commissioner of the Department of Labor and Industry may deem necessary and establish.
142.3 Each division of the department and persons in charge thereof shall be subject to the
142.4 supervision of the commissioner of the Department of Labor and Industry and, in addition
142.5 to such duties as are or may be imposed on them by statute, shall perform such other duties
142.6 as may be assigned to them by the commissioner. Notwithstanding any other law to the
142.7 contrary, the commissioner is the administrator and supervisor of all of the department's
142.8 dispute resolution functions and personnel and may delegate authority to compensation
142.9 judges and others to make determinations under sections 176.106, 176.238, and 176.239
142.10 and to approve settlement of claims under section 176.521.

142.11 Sec. 3. Minnesota Statutes 2022, section 177.26, subdivision 1, is amended to read:

142.12 Subdivision 1. **Creation.** The Division of Labor Standards ~~and Apprenticeship~~ in the
142.13 Department of Labor and Industry is supervised and controlled by the commissioner of
142.14 labor and industry.

142.15 Sec. 4. Minnesota Statutes 2022, section 177.26, subdivision 2, is amended to read:

142.16 Subd. 2. **Powers and duties.** The Division of Labor Standards ~~and Apprenticeship~~ shall
142.17 administer this chapter and chapters ~~178~~, 181, 181A, and 184.

142.18 Sec. 5. Minnesota Statutes 2022, section 177.27, subdivision 4, is amended to read:

142.19 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an
142.20 employer to comply with sections 177.21 to 177.435, 179.86, 181.02, 181.03, 181.031,
142.21 181.032, 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d),
142.22 181.214 to 181.217, 181.275, subdivision 2a, 181.635, 181.722, 181.79, 181.85 to 181.89,
142.23 and 181.939 to 181.943, or with any rule promulgated under section 177.28, 181.213, or
142.24 181.215. The commissioner shall issue an order requiring an employer to comply with
142.25 sections 177.41 to 177.435 if the violation is repeated. For purposes of this subdivision
142.26 only, a violation is repeated if at any time during the two years that preceded the date of
142.27 violation, the commissioner issued an order to the employer for violation of sections 177.41
142.28 to 177.435 and the order is final or the commissioner and the employer have entered into a
142.29 settlement agreement that required the employer to pay back wages that were required by
142.30 sections 177.41 to 177.435. The department shall serve the order upon the employer or the
142.31 employer's authorized representative in person or by certified mail at the employer's place
142.32 of business. An employer who wishes to contest the order must file written notice of objection
142.33 to the order with the commissioner within 15 calendar days after being served with the

143.1 order. A contested case proceeding must then be held in accordance with sections 14.57 to
143.2 14.69. If, within 15 calendar days after being served with the order, the employer fails to
143.3 file a written notice of objection with the commissioner, the order becomes a final order of
143.4 the commissioner.

143.5 Sec. 6. Minnesota Statutes 2022, section 178.01, is amended to read:

143.6 **178.01 PURPOSES.**

143.7 The purposes of this chapter are: to open to all people regardless of race, sex, creed,
143.8 color or national origin, the opportunity to obtain training and on-the-job learning that will
143.9 equip them for profitable employment and citizenship; to establish as a means to this end,
143.10 a program of voluntary apprenticeship under approved apprenticeship agreements providing
143.11 facilities for their training and guidance in the arts, skills, and crafts of industry and trade
143.12 or occupation, with concurrent, supplementary instruction in related subjects; to promote
143.13 apprenticeship opportunities under conditions providing adequate training and on-the-job
143.14 learning and reasonable earnings; to relate the supply of skilled workers to employment
143.15 demands; to establish standards for apprentice training; to establish an Apprenticeship Board
143.16 and apprenticeship committees to assist in effectuating the purposes of this chapter; to
143.17 provide for a Division of ~~Labor Standards and Apprenticeship~~ within the Department of
143.18 Labor and Industry; to provide for reports to the legislature regarding the status of apprentice
143.19 training in the state; to establish a procedure for the determination of apprenticeship
143.20 agreement controversies; and to accomplish related ends.

143.21 Sec. 7. Minnesota Statutes 2022, section 178.011, subdivision 7, is amended to read:

143.22 Subd. 7. **Division.** "Division" means the department's ~~Labor Standards and Apprenticeship~~
143.23 Division, established under sections 175.16 and 178.03, and the State Apprenticeship Agency
143.24 as defined in Code of Federal Regulations, title 29, part 29, section 29.2.

143.25 Sec. 8. Minnesota Statutes 2022, section 178.03, subdivision 1, is amended to read:

143.26 Subdivision 1. **Establishment of division.** There is established a Division of ~~Labor~~
143.27 ~~Standards and Apprenticeship~~ in the Department of Labor and Industry. This division shall
143.28 be administered by a director, and be under the supervision of the commissioner.

144.1 Sec. 9. Minnesota Statutes 2022, section 178.11, is amended to read:

144.2 **178.11 LABOR EDUCATION ADVANCEMENT GRANT PROGRAM.**

144.3 The commissioner shall establish the labor education advancement grant program for
 144.4 the purpose of facilitating the participation or retention of minorities people of color,
 144.5 Indigenous people, and women in ~~apprenticeable trades and occupations~~ registered
 144.6 apprenticeship programs. The commissioner shall award grants to community-based and
 144.7 nonprofit organizations and Minnesota Tribal governments as defined in section 10.65,
 144.8 serving the targeted populations on a competitive request-for-proposal basis. Interested
 144.9 organizations shall apply for the grants in a form prescribed by the commissioner. As part
 144.10 of the application process, applicants must provide a statement of need for the grant, a
 144.11 description of the targeted population and apprenticeship opportunities, a description of
 144.12 activities to be funded by the grant, evidence supporting the ability to deliver services,
 144.13 information related to coordinating grant activities with other employment and learning
 144.14 programs, identification of matching funds, a budget, and performance objectives. Each
 144.15 submitted application shall be evaluated for completeness and effectiveness of the proposed
 144.16 grant activity.

144.17 Sec. 10. Minnesota Statutes 2022, section 181.9435, subdivision 1, is amended to read:

144.18 Subdivision 1. **Investigation.** The Division of Labor Standards ~~and Apprenticeship~~ shall
 144.19 receive complaints of employees against employers relating to sections 181.172, paragraph
 144.20 (a) or (d), and 181.939 to 181.9436 and investigate informally whether an employer may
 144.21 be in violation of sections 181.172, paragraph (a) or (d), and 181.939 to 181.9436. The
 144.22 division shall attempt to resolve employee complaints by informing employees and employers
 144.23 of the provisions of the law and directing employers to comply with the law. For complaints
 144.24 related to section 181.939, the division must contact the employer within two business days
 144.25 and investigate the complaint within ten days of receipt of the complaint.

144.26 Sec. 11. Minnesota Statutes 2022, section 181.9436, is amended to read:

144.27 **181.9436 POSTING OF LAW.**

144.28 The Division of Labor Standards ~~and Apprenticeship~~ shall develop, with the assistance
 144.29 of interested business and community organizations, an educational poster stating employees'
 144.30 rights under sections 181.940 to 181.9436. The department shall make the poster available,
 144.31 upon request, to employers for posting on the employer's premises.

145.1 Sec. 12. Minnesota Statutes 2022, section 182.666, subdivision 1, is amended to read:

145.2 Subdivision 1. **Willful or repeated violations.** Any employer who willfully or repeatedly
145.3 violates the requirements of section 182.653, or any standard, rule, or order adopted under
145.4 the authority of the commissioner as provided in this chapter, may be assessed a fine not to
145.5 exceed ~~\$70,000~~ \$156,259 for each violation. The minimum fine for a willful violation is
145.6 ~~\$5,000~~ \$11,162.

145.7 Sec. 13. Minnesota Statutes 2022, section 182.666, subdivision 2, is amended to read:

145.8 Subd. 2. **Serious violations.** Any employer who has received a citation for a serious
145.9 violation of its duties under section 182.653, or any standard, rule, or order adopted under
145.10 the authority of the commissioner as provided in this chapter, shall be assessed a fine not
145.11 to exceed ~~\$7,000~~ \$15,625 for each violation. If a serious violation under section 182.653,
145.12 subdivision 2, causes or contributes to the death of an employee, the employer shall be
145.13 assessed a fine of up to \$25,000 for each violation.

145.14 Sec. 14. Minnesota Statutes 2022, section 182.666, subdivision 3, is amended to read:

145.15 Subd. 3. **Nonserious violations.** Any employer who has received a citation for a violation
145.16 of its duties under section 182.653, subdivisions 2 to 4, where the violation is specifically
145.17 determined not to be of a serious nature as provided in section 182.651, subdivision 12,
145.18 may be assessed a fine of up to ~~\$7,000~~ \$15,625 for each violation.

145.19 Sec. 15. Minnesota Statutes 2022, section 182.666, subdivision 4, is amended to read:

145.20 Subd. 4. **Failure to correct a violation.** Any employer who fails to correct a violation
145.21 for which a citation has been issued under section 182.66 within the period permitted for
145.22 its correction, which period shall not begin to run until the date of the final order of the
145.23 commissioner in the case of any review proceedings under this chapter initiated by the
145.24 employer in good faith and not solely for delay or avoidance of penalties, may be assessed
145.25 a fine of not more than ~~\$7,000~~ \$15,625 for each day during which the failure or violation
145.26 continues.

145.27 Sec. 16. Minnesota Statutes 2022, section 182.666, subdivision 5, is amended to read:

145.28 Subd. 5. **Posting violations.** Any employer who violates any of the posting requirements,
145.29 as prescribed under this chapter, except those prescribed under section 182.661, subdivision
145.30 3a, shall be assessed a fine of up to ~~\$7,000~~ \$15,625 for each violation.

146.1 Sec. 17. Minnesota Statutes 2022, section 182.666, is amended by adding a subdivision
146.2 to read:

146.3 Subd. 6a. **Increases for inflation.** (a) Each year, beginning in 2023, the commissioner
146.4 shall determine the percentage change in the Minneapolis-St. Paul-Bloomington, MN-WI,
146.5 Consumer Price Index for All Urban Consumers (CPI-U) from the month of October in the
146.6 preceding calendar year to the month of October in the current calendar year.

146.7 (b) The commissioner shall increase the fines in subdivisions 1 to 5, except for the fine
146.8 for a serious violation under section 182.653, subdivision 2, that causes or contributes to
146.9 the death of an employee, by the percentage change determined by the commissioner under
146.10 paragraph (a), if the percentage change is greater than zero. The fines shall be increased to
146.11 the nearest one dollar.

146.12 (c) If the percentage change determined by the commissioner under paragraph (a) is not
146.13 greater than zero, the commissioner shall not change any of the fines in subdivisions 1 to
146.14 5.

146.15 (d) A fine increased under this subdivision takes effect on the next January 15 after the
146.16 commissioner determines the percentage change under paragraph (a) and applies to all fines
146.17 assessed on or after the next January 15.

146.18 (e) No later than December 1 of each year, the commissioner shall give notice in the
146.19 State Register of any increase to the fines in subdivisions 1 to 5.

146.20 Sec. 18. **[182.677] ERGONOMICS.**

146.21 Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this
146.22 subdivision apply unless otherwise specified.

146.23 (b) "Health care facility" means a hospital with a North American Industrial Classification
146.24 system code of 622110, 622210, or 622310; an outpatient surgical center with a North
146.25 American Industrial Classification system code of 621493; and a nursing home with a North
146.26 American Industrial Classification system code of 623110.

146.27 (c) "Warehouse distribution center" means an employer with 100 or more employees in
146.28 Minnesota and a North American Industrial Classification system code of 493110, 423110
146.29 to 423990, 424110 to 424990, 454110, or 492110.

146.30 (d) "Meatpacking site" means a meatpacking or poultry processing site with 100 or more
146.31 employees in Minnesota and a North American Industrial Classification system code of
146.32 311611 to 311615, except 311613.

147.1 (e) "Musculoskeletal disorder" or "MSD" means a disorder of the muscles, nerves,
147.2 tendons, ligaments, joints, cartilage, blood vessels, or spinal discs.

147.3 Subd. 2. **Ergonomics program required.** (a) Every licensed health care facility,
147.4 warehouse distribution center, or meatpacking site in the state shall create and implement
147.5 an effective written ergonomics program establishing the employer's plan to minimize the
147.6 risk of its employees developing or aggravating musculoskeletal disorders by utilizing an
147.7 ergonomics process. The ergonomics program shall focus on eliminating the risk. To the
147.8 extent risk exists, the ergonomics program must include feasible administrative or engineering
147.9 controls to reduce the risk.

147.10 (b) The program shall include:

147.11 (1) an assessment of hazards with regard to prevention of musculoskeletal disorders;

147.12 (2) an initial and ongoing training of employees on ergonomics and its benefits, including
147.13 the importance of reporting early symptoms of musculoskeletal disorders;

147.14 (3) a procedure to ensure early reporting of musculoskeletal disorders to prevent or
147.15 reduce the progression of symptoms, the development of serious injuries, and lost-time
147.16 claims;

147.17 (4) a process for employees to provide possible solutions that may be implemented to
147.18 reduce, control, or eliminate workplace musculoskeletal disorders;

147.19 (5) procedures to ensure that physical plant modifications and major construction projects
147.20 are consistent with program goals; and

147.21 (6) annual evaluations of the ergonomics program and whenever a change to the work
147.22 process occurs.

147.23 Subd. 3. **Annual evaluation of program required.** There must be an established
147.24 procedure to annually assess the effectiveness of the ergonomics program, including
147.25 evaluation of corrective actions taken in response to reporting of symptoms by employees.
147.26 The annual assessment shall determine the success of the implemented ergonomic solutions
147.27 and whether goals set by the ergonomics program have been met.

147.28 Subd. 4. **Employee training.** (a) An employer subject to this section must train all new
147.29 and existing employees on the following:

147.30 (1) the name of each individual on the employer's safety committee;

147.31 (2) the facility's hazard prevention and control plan;

148.1 (3) the early signs and symptoms of musculoskeletal injuries and the procedures for
148.2 reporting them;

148.3 (4) the procedures for reporting injuries and other hazards;

148.4 (5) any administrative or engineering controls related to ergonomic hazards that are in
148.5 place or will be implemented at the facility;

148.6 (6) how to use personal protective equipment, whether it is available, and where it is
148.7 located; and

148.8 (7) the requirements of subdivision 9.

148.9 (b) New and current employees must be trained according to paragraph (a) prior to
148.10 starting work. The employer must provide the training during working hours and compensate
148.11 the employee for attending the training at the employee's standard rate of pay. All training
148.12 must be in a language and with vocabulary that the employee can understand.

148.13 (c) Updates to the information conveyed in the training shall be communicated to
148.14 employees as soon as practicable.

148.15 Subd. 5. **Involvement of employees.** Employers subject to this section must solicit
148.16 feedback for its ergonomics program through its safety committee required by section
148.17 182.676, in addition to any other opportunities for employee participation the employer
148.18 may provide. The safety committee must be directly involved in ergonomics worksite
148.19 assessments and participate in the annual evaluation required by subdivision 3.

148.20 Subd. 6. **Workplace program or AWAIR.** An employer subject to this section must
148.21 reference its ergonomics program in a written Workplace Accident and Injury Reduction
148.22 (AWAIR) program required by section 182.653, subdivision 8.

148.23 Subd. 7. **Recordkeeping.** An employer subject to this section must maintain:

148.24 (1) a written certification dated and signed by each person who provides training and
148.25 each employee who receives training pursuant to this section. The certification completed
148.26 by the training providers must state that the employer has provided training consistent with
148.27 the requirements of this section;

148.28 (2) a record of all worker visits to on-site medical or first aid personnel for the last five
148.29 years, regardless of severity or type of illness or injury; and

148.30 (3) a record of all ergonomic injuries suffered by employees for the last five years.

149.1 Subd. 8. **Availability of records.** (a) The employer must ensure that the certification
149.2 records required by subdivision 7, clause (1), are up to date and available to the
149.3 commissioner, employees, and authorized employee representatives, if any, upon request.

149.4 (b) Upon the request of the commissioner, an employee, or an authorized employee
149.5 representative, the employer must provide the requestor a redacted version of the medical
149.6 or first aid records and records of all ergonomic injuries. The name, contact information,
149.7 and occupation of an employee, and any other information that would reveal the identity
149.8 of an employee, must be removed in the redacted version. The redacted version must only
149.9 include, to the extent it would not reveal the identity of an employee, the location where
149.10 the employee worked, the date of the injury or visit, a description of the medical treatment
149.11 or first aid provided, and a description of the injury suffered.

149.12 (c) The employer must also make available to the commissioner the unredacted medical
149.13 or first aid records and unredacted records of ergonomic injuries required by subdivision
149.14 7, clause (2), upon request.

149.15 Subd. 9. **Reporting encouraged.** Any employer subject to this section must not institute
149.16 or maintain any program, policy, or practice that discourages employees from reporting
149.17 injuries, hazards, or safety and health standard violations, including ergonomic-related
149.18 hazards and symptoms of musculoskeletal disorders.

149.19 Subd. 10. **Training materials.** The commissioner shall make training materials on
149.20 implementation of this section available to all employers, upon request, at no cost as part
149.21 of the duties of the commissioner under section 182.673.

149.22 Subd. 11. **Enforcement.** This section shall be enforced by the commissioner under
149.23 sections 182.66 and 182.661. A violation of this section is subject to the penalties provided
149.24 under section 182.666.

149.25 Subd. 12. **Grant program.** (a) The commissioner shall establish an ergonomics grant
149.26 program to provide matching funding for employers who are subject to this section to make
149.27 ergonomic improvements recommended by an on-site safety survey. Minnesota Rules,
149.28 chapter 5203, applies to the administration of the grant program.

149.29 (b) To be eligible for a grant under this section, an employer must:

149.30 (1) be a licensed health care facility, warehouse distribution center, or meatpacking site
149.31 as defined by subdivision 1;

150.1 (2) have current workers' compensation insurance provided through the assigned risk
150.2 plan, provided by an insurer subject to penalties under chapter 176, or as an approved
150.3 self-insured employer; and

150.4 (3) have an on-site safety survey with results that recommend specific equipment or
150.5 practices that will reduce the risk of injury or illness to employees and prevent
150.6 musculoskeletal disorders. This survey must have been conducted by a Minnesota
150.7 occupational safety and health compliance investigator or workplace safety consultant, an
150.8 in-house safety and health committee, a workers' compensation insurance underwriter, a
150.9 private consultant, or a person under contract with the assigned risk plan.

150.10 (c) Grant funds may be used for all or part of the cost of the following:

150.11 (1) purchasing and installing recommended equipment intended to prevent
150.12 musculoskeletal disorders;

150.13 (2) operating or maintaining recommended equipment intended to prevent musculoskeletal
150.14 disorders;

150.15 (3) property, if the property is necessary to meet the recommendations of the on-site
150.16 safety survey that are related to prevention of musculoskeletal disorders;

150.17 (4) training required to operate recommended safety equipment to prevent musculoskeletal
150.18 disorders; and

150.19 (5) tuition reimbursement for educational costs related to identifying ergonomic-related
150.20 issues that are related to the recommendations of the on-site safety survey.

150.21 (d) The commissioner shall evaluate applications, submitted on forms developed by the
150.22 commissioner, based on whether the proposed project:

150.23 (1) is technically and economically feasible;

150.24 (2) is consistent with the recommendations of the on-site safety survey and the objective
150.25 of reducing risk of injury or illness to employees and preventing musculoskeletal disorders;

150.26 (3) was submitted by an applicant with sufficient experience, knowledge, and commitment
150.27 for the project to be implemented in a timely manner;

150.28 (4) has the necessary financial commitments to cover all project costs;

150.29 (5) has the support of all public entities necessary for its completion; and

150.30 (6) complies with federal, state, and local regulations.

151.1 (e) Grants under this section shall provide a match of up to \$10,000 for private funds
151.2 committed by the employer to implement the recommended ergonomics-related equipment
151.3 or practices.

151.4 (f) Grants will be awarded to all applicants that meet the eligibility and evaluation criteria
151.5 under paragraphs (b), (c), and (d) until funding is depleted. If there are more eligible requests
151.6 than funding, awards will be prorated.

151.7 (g) Grant recipients are not eligible to apply for another grant under chapter 176 until
151.8 two years after the date of the award.

151.9 Subd. 13. **Standard development.** The commissioner may propose an ergonomics
151.10 standard using the authority provided in section 182.655.

151.11 Sec. 19. Minnesota Statutes 2022, section 326B.092, subdivision 6, is amended to read:

151.12 Subd. 6. **Fees nonrefundable.** Application and examination fees, license fees, license
151.13 renewal fees, and late fees are nonrefundable except for:

151.14 (1) license renewal fees received more than two years after expiration of the license, as
151.15 described in section 326B.094, subdivision 2;

151.16 (2) any overpayment of fees; and

151.17 (3) if the license is not issued or renewed, the contractor recovery fund fee and any
151.18 additional assessment paid under subdivision 7, paragraph (e).

151.19 Sec. 20. Minnesota Statutes 2022, section 326B.096, is amended to read:

151.20 **326B.096 REINSTATEMENT OF LICENSES.**

151.21 Subdivision 1. **Reinstatement after revocation.** (a) If a license is revoked under this
151.22 chapter and if an applicant for a license needs to pass an examination administered by the
151.23 commissioner before becoming licensed, then, in order to have the license reinstated, the
151.24 person who holds the revoked license must:

151.25 (1) retake the examination and achieve a passing score; and

151.26 (2) meet all other requirements for an initial license, including payment of the application
151.27 and examination fee and the license fee. The person holding the revoked license is not
151.28 eligible for Minnesota licensure without examination based on reciprocity.

151.29 (b) If a license is revoked under a chapter other than this chapter, then, in order to have
151.30 the license reinstated, the person who holds the revoked license must:

152.1 (1) apply for reinstatement to the commissioner no later than two years after the effective
152.2 date of the revocation;

152.3 (2) pay a ~~\$100~~ \$50 reinstatement application fee and any applicable renewal license fee;
152.4 and

152.5 (3) meet all applicable requirements for licensure, except that, unless required by the
152.6 order revoking the license, the applicant does not need to retake any examination and does
152.7 not need to repay a license fee that was paid before the revocation.

152.8 Subd. 2. **Reinstatement after suspension.** If a license is suspended, then, in order to
152.9 have the license reinstated, the person who holds the suspended license must:

152.10 (1) apply for reinstatement to the commissioner no later than two years after the
152.11 completion of the suspension period;

152.12 (2) pay a ~~\$100~~ \$50 reinstatement application fee and any applicable renewal license fee;
152.13 and

152.14 (3) meet all applicable requirements for licensure, except that, unless required by the
152.15 order suspending the license, the applicant does not need to retake any examination and
152.16 does not need to repay a license fee that was paid before the suspension.

152.17 Subd. 3. **Reinstatement after voluntary termination.** A licensee who is not an individual
152.18 may voluntarily terminate a license issued to the person under this chapter. If a licensee has
152.19 voluntarily terminated a license under this subdivision, then, in order to have the license
152.20 reinstated, the person who holds the terminated license must:

152.21 (1) apply for reinstatement to the commissioner no later than the date that the license
152.22 would have expired if it had not been terminated;

152.23 (2) pay a ~~\$100~~ \$25 reinstatement application fee and any applicable renewal license fee;
152.24 and

152.25 (3) meet all applicable requirements for licensure, except that the applicant does not
152.26 need to repay a license fee that was paid before the termination.

152.27 Sec. 21. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
152.28 to read:

152.29 Subd. 6a. **Electric vehicle capable space.** "Electric vehicle capable space" means a
152.30 designated automobile parking space that has electrical infrastructure, including but not
152.31 limited to raceways, cables, electrical capacity, and panelboard or other electrical distribution
152.32 space necessary for the future installation of an electric vehicle charging station.

153.1 Sec. 22. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
153.2 to read:

153.3 Subd. 6b. **Electric vehicle charging station.** "Electric vehicle charging station" means
153.4 a designated automobile parking space that has a dedicated connection for charging an
153.5 electric vehicle.

153.6 Sec. 23. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
153.7 to read:

153.8 Subd. 6c. **Electric vehicle ready space.** "Electric vehicle ready space" means a designated
153.9 automobile parking space that has a branch circuit capable of supporting the installation of
153.10 an electric vehicle charging station.

153.11 Sec. 24. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
153.12 to read:

153.13 Subd. 10a. **Parking facilities.** "Parking facilities" includes parking lots, garages, ramps,
153.14 or decks.

153.15 Sec. 25. Minnesota Statutes 2022, section 326B.103, subdivision 13, is amended to read:

153.16 Subd. 13. **State licensed facility.** "State licensed facility" means a building and its
153.17 grounds that are licensed by the state as a hospital, nursing home, supervised living facility,
153.18 assisted living facility, including assisted living facility with dementia care, free-standing
153.19 outpatient surgical center, correctional facility, boarding care home, or residential hospice.

153.20 Sec. 26. Minnesota Statutes 2022, section 326B.106, subdivision 1, is amended to read:

153.21 Subdivision 1. **Adoption of code.** (a) Subject to paragraphs (c) and (d) and sections
153.22 326B.101 to 326B.194, the commissioner shall by rule and in consultation with the
153.23 Construction Codes Advisory Council establish a code of standards for the construction,
153.24 reconstruction, alteration, and repair of buildings, governing matters of structural materials,
153.25 design and construction, fire protection, health, sanitation, and safety, including design and
153.26 construction standards regarding heat loss control, illumination, and climate control. The
153.27 code must also include duties and responsibilities for code administration, including
153.28 procedures for administrative action, penalties, and suspension and revocation of certification.
153.29 The code must conform insofar as practicable to model building codes generally accepted
153.30 and in use throughout the United States, including a code for building conservation. In the
153.31 preparation of the code, consideration must be given to the existing statewide specialty

154.1 codes presently in use in the state. Model codes with necessary modifications and statewide
154.2 specialty codes may be adopted by reference. The code must be based on the application
154.3 of scientific principles, approved tests, and professional judgment. To the extent possible,
154.4 the code must be adopted in terms of desired results instead of the means of achieving those
154.5 results, avoiding wherever possible the incorporation of specifications of particular methods
154.6 or materials. To that end the code must encourage the use of new methods and new materials.
154.7 Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall
154.8 administer and enforce the provisions of those sections.

154.9 (b) The commissioner shall develop rules addressing the plan review fee assessed to
154.10 similar buildings without significant modifications including provisions for use of building
154.11 systems as specified in the industrial/modular program specified in section 326B.194.
154.12 Additional plan review fees associated with similar plans must be based on costs
154.13 commensurate with the direct and indirect costs of the service.

154.14 (c) Beginning with the 2018 edition of the model building codes and every six years
154.15 thereafter, the commissioner shall review the new model building codes and adopt the model
154.16 codes as amended for use in Minnesota, within two years of the published edition date. The
154.17 commissioner may adopt amendments to the building codes prior to the adoption of the
154.18 new building codes to advance construction methods, technology, or materials, or, where
154.19 necessary to protect the health, safety, and welfare of the public, or to improve the efficiency
154.20 or the use of a building.

154.21 (d) Notwithstanding paragraph (c), the commissioner shall act on each new model
154.22 residential energy code and the new model commercial energy code in accordance with
154.23 federal law for which the United States Department of Energy has issued an affirmative
154.24 determination in compliance with United States Code, title 42, section 6833. The
154.25 commissioner may adopt amendments prior to adoption of the new energy codes, as amended
154.26 for use in Minnesota, to advance construction methods, technology, or materials, or, where
154.27 necessary to protect the health, safety, and welfare of the public, or to improve the efficiency
154.28 or use of a building.

154.29 (e) Beginning in 2024, the commissioner shall act on the new model commercial energy
154.30 code by adopting each new published edition of ASHRAE 90.1 or a more efficient standard.
154.31 The commercial energy code in effect in 2036 and thereafter must achieve an 80 percent
154.32 reduction in annual net energy consumption or greater, using the ASHRAE 90.1-2004 as a
154.33 baseline. The commissioner shall adopt commercial energy codes from 2024 to 2036 that
154.34 incrementally move toward achieving the 80 percent reduction in annual net energy
154.35 consumption. By January 15 of the year following each new code adoption, the commissioner

155.1 shall make a report on progress under this section to the legislative committees with
155.2 jurisdiction over the energy code. The commissioner may adjust the standard as necessary
155.3 upon consideration of the impact to building affordability, energy reliability, and other
155.4 factors deemed appropriate. Nothing in this paragraph shall be construed to limit the
155.5 installation, operation, or use of a system, appliance, or other equipment based on the energy
155.6 source used to power the system, appliance, or other equipment.

155.7 (f) Nothing in this section shall be interpreted to limit the ability of a public utility to
155.8 offer code support programs, or to claim energy savings resulting from such programs,
155.9 through its energy conservation and optimization plans approved by the commissioner of
155.10 commerce under section 216B.241 or an energy conservation and optimization plan filed
155.11 by a consumer-owned utility under section 216B.2403.

155.12 Sec. 27. Minnesota Statutes 2022, section 326B.106, subdivision 4, is amended to read:

155.13 Subd. 4. **Special requirements. (a) Space for commuter vans.** The code must require
155.14 that any parking ramp or other parking facility constructed in accordance with the code
155.15 include an appropriate number of spaces suitable for the parking of motor vehicles having
155.16 a capacity of seven to 16 persons and which are principally used to provide prearranged
155.17 commuter transportation of employees to or from their place of employment or to or from
155.18 a transit stop authorized by a local transit authority.

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

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

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

155.30 (e) **Family and group family day care.** Until the legislature enacts legislation specifying
155.31 appropriate standards, the definition of dwellings constructed in accordance with the
155.32 International Residential Code as adopted as part of the State Building Code applies to

156.1 family and group family day care homes licensed by the Department of Human Services
156.2 under Minnesota Rules, chapter 9502.

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

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

156.11 (h) **Relocated residential buildings.** A residential building relocated within or into a
156.12 political subdivision of the state need not comply with the State Energy Code or section
156.13 326B.439 provided that, where available, an energy audit is conducted on the relocated
156.14 building.

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

156.18 (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking
156.19 surface and upper portions of exterior wood decks, patios, and balconies to be constructed
156.20 of (1) heartwood from species of wood having natural resistance to decay or termites,
156.21 including redwood and cedars, (2) grades of lumber which contain sapwood from species
156.22 of wood having natural resistance to decay or termites, including redwood and cedars, or
156.23 (3) treated wood. The species and grades of wood products used to construct the decking
156.24 surface and upper portions of exterior decks, patios, and balconies must be made available
156.25 to the building official on request before final construction approval.

156.26 (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be
156.27 imposed by municipalities under the State Building Code, except as required under section
156.28 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92
156.29 administered by the Department of Labor and Industry. All data regarding the material
156.30 production processes, including the bioprocess system's structural design and layout, are
156.31 nonpublic data as provided by section 13.7911.

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

157.1 (m) **Window cleaning safety.** ~~The code must require the installation of dedicated~~
 157.2 ~~anchorages for the purpose of suspended window cleaning on (1) new buildings four stories~~
 157.3 ~~or greater; and (2) buildings four stories or greater, only on those areas undergoing~~
 157.4 ~~reconstruction, alteration, or repair that includes the exposure of primary structural~~
 157.5 ~~components of the roof.~~ The commissioner shall adopt rules, using the expedited rulemaking
 157.6 process in section 14.389, requiring window cleaning safety features that comply with a
 157.7 nationally recognized standard as part of the State Building Code. Window cleaning safety
 157.8 features shall be provided for all windows on:

157.9 (1) new buildings where determined by the code; and

157.10 (2) existing buildings undergoing alterations where both of the following conditions are
 157.11 met:

157.12 (i) the windows do not currently have safe window cleaning features; and

157.13 (ii) the proposed work area being altered can include provisions for safe window cleaning.

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

157.18 (n) **Adult-size changing facilities.** The commissioner shall adopt rules requiring
 157.19 adult-size changing facilities as part of the State Building Code.

157.20 Sec. 28. Minnesota Statutes 2022, section 326B.106, is amended by adding a subdivision
 157.21 to read:

157.22 Subd. 16. **Electric vehicle charging.** The code shall require a minimum number of
 157.23 electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging
 157.24 stations either within or adjacent to new commercial and multifamily structures that provide
 157.25 on-site parking facilities. Residential structures with fewer than four dwelling units are
 157.26 exempt from this subdivision.

157.27 Sec. 29. Minnesota Statutes 2022, section 326B.802, subdivision 15, is amended to read:

157.28 Subd. 15. **Special skill.** "Special skill" means one of the following eight categories:

157.29 (a) **Excavation.** Excavation includes work in any of the following areas:

157.30 (1) excavation;

157.31 (2) trenching;

- 158.1 (3) grading; and
- 158.2 (4) site grading.
- 158.3 (b) **Masonry and concrete.** Masonry and concrete includes work in any of the following
- 158.4 areas:
- 158.5 (1) drain systems;
- 158.6 (2) poured walls;
- 158.7 (3) slabs and poured-in-place footings;
- 158.8 (4) masonry walls;
- 158.9 (5) masonry fireplaces;
- 158.10 (6) masonry veneer; and
- 158.11 (7) water resistance and waterproofing.
- 158.12 (c) **Carpentry.** Carpentry includes work in any of the following areas:
- 158.13 (1) rough framing;
- 158.14 (2) finish carpentry;
- 158.15 (3) doors, windows, and skylights;
- 158.16 (4) porches and decks, excluding footings;
- 158.17 (5) wood foundations; and
- 158.18 (6) drywall installation, excluding taping and finishing.
- 158.19 (d) **Interior finishing.** Interior finishing includes work in any of the following areas:
- 158.20 (1) floor covering;
- 158.21 (2) wood floors;
- 158.22 (3) cabinet and counter top installation;
- 158.23 (4) insulation and vapor barriers;
- 158.24 (5) interior or exterior painting;
- 158.25 (6) ceramic, marble, and quarry tile;
- 158.26 (7) ornamental guardrail and installation of prefabricated stairs; and
- 158.27 (8) wallpapering.

- 159.1 (e) **Exterior finishing.** Exterior finishing includes work in any of the following areas:
- 159.2 (1) siding;
- 159.3 (2) soffit, fascia, and trim;
- 159.4 (3) exterior plaster and stucco;
- 159.5 (4) painting; and
- 159.6 (5) rain carrying systems, including gutters and down spouts.
- 159.7 (f) **Drywall and plaster.** Drywall and plaster includes work in any of the following
- 159.8 areas:
- 159.9 (1) installation;
- 159.10 (2) taping;
- 159.11 (3) finishing;
- 159.12 (4) interior plaster;
- 159.13 (5) painting; and
- 159.14 (6) wallpapering.
- 159.15 (g) **Residential roofing.** Residential roofing includes work in any of the following areas:
- 159.16 (1) roof coverings;
- 159.17 (2) roof sheathing;
- 159.18 (3) roof weatherproofing and insulation; ~~and~~
- 159.19 (4) repair of roof support system, but not construction of new roof support system; and
- 159.20 (5) penetration of roof coverings for purposes of attaching a solar photovoltaic system.
- 159.21 (h) **General installation specialties.** Installation includes work in any of the following
- 159.22 areas:
- 159.23 (1) garage doors and openers;
- 159.24 (2) pools, spas, and hot tubs;
- 159.25 (3) fireplaces and wood stoves;
- 159.26 (4) asphalt paving and seal coating; ~~and~~
- 159.27 (5) ornamental guardrail and prefabricated stairs; and
- 159.28 (6) assembly of the support system for a solar photovoltaic system.

160.1 Sec. 30. **RULEMAKING AUTHORITY.**

160.2 The commissioner of labor and industry shall adopt rules, using the expedited rulemaking
160.3 process in Minnesota Statutes, section 14.389, that set forth adult-size changing facilities
160.4 to conform with the addition of Minnesota Statutes, section 326B.106, subdivision 4,
160.5 paragraph (n), under this act.

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

160.7 Sec. 31. **REPEALER.**

160.8 Minnesota Statutes 2022, section 177.26, subdivision 3, is repealed.

160.9 **ARTICLE 11**

160.10 **SAFE WORKPLACES FOR MEAT AND POULTRY PROCESSING WORKERS**

160.11 Section 1. **[179.87] TITLE.**

160.12 Sections 179.87 to 179.8757 may be titled the "Safe Workplaces for Meat and Poultry
160.13 Processing Workers Act."

160.14 Sec. 2. **[179.871] DEFINITIONS.**

160.15 Subdivision 1. **Definitions.** For purposes of sections 179.87 to 179.8757, the terms in
160.16 this section have the meanings given.

160.17 Subd. 2. **Authorized employee representative.** "Authorized employee representative"
160.18 has the meaning given in section 182.651, subdivision 22.

160.19 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of labor and industry
160.20 or the commissioner's designee.

160.21 Subd. 4. **Coordinator.** "Coordinator" means the meatpacking industry worker rights
160.22 coordinator or the coordinator's designee.

160.23 Subd. 5. **Meat-processing worker.** "Meat-processing worker" or "worker" means any
160.24 individual who a meat-processing employer suffers or permits to work directly in contact
160.25 with raw meatpacking products in a meatpacking operation, including independent contractors
160.26 and persons performing work for an employer through a temporary service or staffing
160.27 agency. Workers in a meatpacking operation who inspect or package meatpacking products
160.28 and workers who clean, maintain, or sanitize equipment or surfaces are included in the
160.29 definition of a meat-processing worker. Meat-processing worker does not include a federal,
160.30 state, or local government inspector.

161.1 Subd. 6. **Meatpacking operation.** "Meatpacking operation" or "meat-processing
 161.2 employer" means a meatpacking or poultry processing site with 100 or more employees in
 161.3 Minnesota and a North American Industrial Classification system (NAICS) code of 311611
 161.4 to 311615, excluding NAICS code 311613. Meatpacking operation or meat-processing
 161.5 employer does not mean a grocery store, butcher shop, meat market, deli, restaurant, or
 161.6 other business preparing meatpacking products for immediate consumption or for sale in a
 161.7 retail establishment or otherwise directly to an end-consumer.

161.8 Subd. 7. **Meatpacking products.** "Meatpacking products" means meat food products
 161.9 and poultry food products as defined in section 31A.02, subdivision 10.

161.10 **Sec. 3. [179.8715] WORKER RIGHTS COORDINATOR.**

161.11 (a) The commissioner must appoint a meatpacking industry worker rights coordinator
 161.12 in the Department of Labor and Industry and provide the coordinator with necessary office
 161.13 space, furniture, equipment, supplies, and assistance.

161.14 (b) The commissioner must enforce sections 179.87 to 179.8757, including inspecting,
 161.15 reviewing, and recommending improvements to the practices and procedures of meatpacking
 161.16 operations in Minnesota. A meat-processing employer must grant the commissioner full
 161.17 access to all meatpacking operations in this state at any time that meatpacking products are
 161.18 being processed or meat-processing workers are on the job.

161.19 (c) No later than December 1 each year, beginning December 1, 2024, the coordinator
 161.20 must submit a report to the governor and the chairs and ranking minority members of the
 161.21 legislative committees with jurisdiction over labor. The report must include recommendations
 161.22 to promote better treatment of meat-processing workers. The coordinator shall also post the
 161.23 report on the Department of Labor and Industry's website.

161.24 **Sec. 4. [179.872] REFUSAL TO WORK UNDER DANGEROUS CONDITIONS.**

161.25 A meat-processing worker has the right to refuse to work under dangerous conditions
 161.26 in accordance with section 182.654, subdivision 11. Pursuant to section 182.654, subdivision
 161.27 11, the worker shall continue to receive pay and shall not be subject to discrimination.

161.28 **Sec. 5. [179.875] ENFORCEMENT AND COMPLIANCE.**

161.29 Subdivision 1. **Administrative enforcement.** The commissioner, either on the
 161.30 commissioner's initiative or in response to a complaint, may inspect a meatpacking operation
 161.31 and subpoena records and witnesses as provided in sections 175.20, 177.27, and 182.659.

162.1 If a meat-processing employer does not comply with the commissioner's inspection, the
162.2 commissioner may seek relief as provided in this section or chapter 175 or 182.

162.3 Subd. 2. **Compliance authority.** The commissioner may issue a compliance order under
162.4 section 177.27, subdivision 4, requiring an employer to comply with sections 179.8755,
162.5 paragraphs (b) and (c); 179.8756, subdivisions 1 to 3 and 4, paragraphs (f) and (g); and
162.6 179.8757. The commissioner also has authority, pursuant to section 182.662, subdivision
162.7 1, to issue a stop work or business closure order when there is a condition or practice that
162.8 could result in death or serious physical harm.

162.9 Subd. 3. **Private civil action.** If a meat-processing employer does not comply with a
162.10 provision in sections 179.87 to 179.8757, an aggrieved worker, authorized employee
162.11 representative, or other person may bring a civil action in a court of competent jurisdiction
162.12 within three years of an alleged violation and, upon prevailing, must be awarded the relief
162.13 provided in this section. Pursuing administrative relief is not a prerequisite for bringing a
162.14 civil action.

162.15 Subd. 4. **Other government enforcement.** The attorney general may enforce sections
162.16 179.87 to 179.8757 under section 8.31. A city or county attorney may also enforce these
162.17 sections. Such law enforcement agencies may inspect meatpacking operations and subpoena
162.18 records and witnesses and, where such agencies determine that a violation has occurred,
162.19 may bring a civil action as provided in this section.

162.20 Subd. 5. **Relief.** (a) In a civil action or administrative proceeding brought to enforce
162.21 sections 179.87 to 179.8757, the court or commissioner must order relief as provided in this
162.22 subdivision.

162.23 (b) For any violation of sections 179.87 to 179.8757:

162.24 (1) an injunction to order compliance and restrain continued violations;

162.25 (2) payment to a prevailing worker by a meat-processing employer of reasonable costs,
162.26 disbursements, and attorney fees; and

162.27 (3) a civil penalty payable to the state of not less than \$100 per day per worker affected
162.28 by the meat-processing employer's noncompliance with sections 179.87 to 179.8757.

162.29 (c) Any worker who brings a complaint under sections 179.87 to 179.8757 and suffers
162.30 retaliation is entitled to treble damages in addition to lost pay and recovery of attorney fees
162.31 and costs.

163.1 (d) Any company who is found to have retaliated against a meat-processing worker must
163.2 pay a fine of up to \$10,000 to the commissioner, in addition to other penalties available
163.3 under law.

163.4 Subd. 6. **Whistleblower enforcement; penalty distribution.** (a) The relief provided in
163.5 this section may be recovered through a private civil action brought on behalf of the
163.6 commissioner in a court of competent jurisdiction by another individual, including an
163.7 authorized employee representative, pursuant to this subdivision.

163.8 (b) The individual must give written notice to the coordinator of the specific provision
163.9 or provisions of sections 179.87 to 179.8757 alleged to have been violated. The individual
163.10 or representative organization may commence a civil action under this subdivision if no
163.11 enforcement action is taken by the commissioner within 30 days.

163.12 (c) Civil penalties recovered pursuant to this subdivision must be distributed as follows:

163.13 (1) 70 percent to the commissioner for enforcement of sections 179.87 to 179.8757; and

163.14 (2) 30 percent to the individual or authorized employee representative.

163.15 (d) The right to bring an action under this subdivision shall not be impaired by private
163.16 contract. A public enforcement action must be tried promptly, without regard to concurrent
163.17 adjudication of a private claim for the same alleged violation.

163.18 Sec. 6. **[179.8755] RETALIATION AGAINST EMPLOYEES AND**
163.19 **WHISTLEBLOWERS PROHIBITED.**

163.20 (a) Pursuant to section 182.669, no meat-processing employer or other person may
163.21 discharge or discriminate against a worker because the employee has raised a concern about
163.22 a meatpacking operation's health and safety practices to the employer or otherwise exercised
163.23 any right authorized under sections 182.65 to 182.674.

163.24 (b) No meat-processing employer or other person may attempt to require any worker to
163.25 sign a contract or other agreement that would limit or prevent the worker from disclosing
163.26 information about workplace health and safety practices or hazards, or to otherwise abide
163.27 by a workplace policy that would limit or prevent such disclosures. Any such agreements
163.28 or policies are hereby void and unenforceable as contrary to the public policy of this state.
163.29 An employer's attempt to impose such a contract, agreement, or policy shall constitute an
163.30 adverse action enforceable under section 179.875.

163.31 (c) Reporting or threatening to report a meat-processing worker's suspected citizenship
163.32 or immigration status, or the suspected citizenship or immigration status of a family member

164.1 of the worker, to a federal, state, or local agency because the worker exercises a right under
164.2 sections 179.87 to 179.8757 constitutes an adverse action for purposes of establishing a
164.3 violation of that worker's rights. For purposes of this paragraph, "family member" means a
164.4 spouse, parent, sibling, child, uncle, aunt, niece, nephew, cousin, grandparent, or grandchild
164.5 related by blood, adoption, marriage, or domestic partnership.

164.6 **Sec. 7. [179.8756] MEATPACKING WORKER CHRONIC INJURIES AND**
164.7 **WORKPLACE SAFETY.**

164.8 **Subdivision 1. Facility committee.** (a) The meat-processing employer's ergonomics
164.9 program under section 182.677, subdivision 2, must be developed and implemented by a
164.10 committee of individuals who are knowledgeable of the tasks and work processes performed
164.11 by workers at the employer's facility. The committee must include:

164.12 (1) a certified professional ergonomist;

164.13 (2) a licensed, board-certified physician, with preference given to a physician who has
164.14 specialized experience and training in occupational medicine; and

164.15 (3) at least three workers employed in the employer's facility who have completed a
164.16 general industry outreach course approved by the commissioner, one of whom must be an
164.17 authorized employee representative if the employer is party to a collective bargaining
164.18 agreement.

164.19 (b) If it is not practicable for a certified professional ergonomist or a licensed,
164.20 board-certified physician to be a member of the committee required by paragraph (b), the
164.21 meatpacking employer must have their ergonomics program reviewed by a certified
164.22 professional ergonomist and a licensed, board-certified physician prior to implementation
164.23 of the program and annually thereafter.

164.24 **Subd. 2. New task and annual safety training.** (a) Meat-processing employers must
164.25 provide every worker who is assigned a new task if the worker has no previous work
164.26 experience with training on how to safely perform the task, the ergonomic and other hazards
164.27 associated with the task, and training on the early signs and symptoms of musculoskeletal
164.28 injuries and the procedures for reporting them. The employer must give a worker an
164.29 opportunity within 30 days of receiving the new task training to receive refresher training
164.30 on the topics covered in the new task training. The employer must provide this training in
164.31 a language and with vocabulary that the employee can understand.

164.32 (b) Meat-processing employers must provide each worker with no less than eight hours
164.33 of safety training each year. This annual training must address health and safety topics that

165.1 are relevant to the establishment and the worker's job assignment, such as cuts, lacerations,
165.2 amputations, machine guarding, biological hazards, lockout/tagout, hazard communication,
165.3 ergonomic hazards, and personal protective equipment. At least two of the eight hours of
165.4 annual training must be on topics related to the facility's ergonomic injury prevention
165.5 program, including the assessment of surveillance data, the ergonomic hazard prevention
165.6 and control plan, and the early signs and symptoms of musculoskeletal disorders and the
165.7 procedures for reporting them. The employer must provide this training in a language and
165.8 with vocabulary that the employee can understand.

165.9 Subd. 3. **Medical services and qualifications.** (a) Meat-processing employers must
165.10 ensure that:

165.11 (1) all first-aid providers, medical assistants, nurses, and physicians engaged by the
165.12 employer are licensed and perform their duties within the scope of their licensed practice;

165.13 (2) medical management of musculoskeletal disorders is under direct supervision of a
165.14 licensed physician specializing in occupational medicine who will advise on best practices
165.15 for management and prevention of work-related musculoskeletal disorders; and

165.16 (3) medical management of musculoskeletal injuries follows the most current version
165.17 of the American College of Occupational and Environmental Medicine practice guidelines.

165.18 (b) The coordinator may compile, analyze, and publish annually, either in summary or
165.19 detailed form, all reports or information obtained under sections 179.87 to 179.8757,
165.20 including information about ergonomics programs, and may cooperate with the United
165.21 States Department of Labor in obtaining national summaries of occupational deaths, injuries,
165.22 and illnesses. The coordinator and authorized employee representative must preserve the
165.23 anonymity of each employee with respect to whom medical reports or information is obtained.

165.24 (c) Meat-processing employers must not institute or maintain any program, policy, or
165.25 practice that discourages employees from reporting injuries, hazards, or safety standard
165.26 violations, unless the employee authorizes employee's information be shared.

165.27 Subd. 4. **Pandemic protections.** (a) This subdivision applies during a public health
165.28 emergency that involves airborne transmission.

165.29 (b) Meat-processing employers must maintain a radius of space around and between
165.30 each worker according to the Centers for Disease Control and Prevention guidelines unless
165.31 a nonporous barrier separates the workers. An employer may accomplish such distancing
165.32 by increasing physical space between workstations, slowing production speeds, staggering
165.33 shifts and breaks, adjusting shift size, or a combination thereof. The employer must

166.1 reconfigure common or congregate spaces to allow for such distancing, including lunch
166.2 rooms, break rooms, and locker rooms. The employer must reinforce social distancing by
166.3 allowing workers to maintain six feet of distance along with the use of nonporous barriers.

166.4 (c) Meat-processing employers must provide employees with face masks and must make
166.5 face shields available on request. Face masks, including replacement face masks, and face
166.6 shields must be provided at no cost to the employee. All persons present at the meatpacking
166.7 operation must wear face masks in the facility except in those parts of the facility where
166.8 infection risk is low because workers work in isolation.

166.9 (d) Meat-processing employers must provide all meat-processing workers with the ability
166.10 to frequently and routinely sanitize their hands with either hand-washing or hand-sanitizing
166.11 stations. The employer must ensure that restrooms have running hot and cold water and
166.12 paper towels and are in sanitary condition. The employer must provide gloves to those who
166.13 request them.

166.14 (e) Meat-processing employers must clean and regularly disinfect all frequently touched
166.15 surfaces in the workplace, such as workstations, training rooms, machinery controls, tools,
166.16 protective garments, eating surfaces, bathrooms, showers, and other similar areas. Employers
166.17 must install and maintain ventilation systems that ensure unidirectional air flow, outdoor
166.18 air, and filtration in both production areas and common areas such as cafeterias and locker
166.19 rooms.

166.20 (f) Meat-processing employers must disseminate all required communications, notices,
166.21 and any published materials regarding these protections in English, Spanish, and other
166.22 languages as required for employees to understand the communication.

166.23 (g) Consistent with sections 177.253 and 177.254, meat-processing employers must
166.24 provide adequate break time for workers to use the bathroom, wash their hands, and don
166.25 and doff protective equipment. Nothing in this section relieves an employer of its obligation
166.26 to comply with federal and state wage and hour laws.

166.27 (h) Meat-processing employers must provide sufficient personal protective equipment
166.28 for each employee for each shift, plus replacements, at no cost to the employee.
166.29 Meat-processing employers must provide training in proper use of personal protective
166.30 equipment, safety procedures, and sanitation.

166.31 (i) Meat-processing employers must record all injuries and illnesses in the facility and
166.32 make these records available upon request to the health and safety committee. The name,
166.33 contact information, and occupation of an employee, and any other information that would
166.34 reveal the identity of an employee, must be removed. The redacted records must only include,

167.1 to the extent it would not reveal the identity of an employee, the location where the employee
167.2 worked, the date of the injury or visit, a description of the medical treatment or first aid
167.3 provided, and a description of the injury suffered. The employer also must make its records
167.4 available to the commissioner, and where there is a collective bargaining agreement, to the
167.5 authorized bargaining representative.

167.6 (j) Except for paragraphs (f) and (g), this section shall be enforced by the commissioner
167.7 under sections 182.66 and 182.661. A violation of this section is subject to the penalties
167.8 provided under section 182.666. Paragraphs (f) and (g) are enforceable by the commissioner
167.9 as described in section 179.875, subdivision 2.

167.10 (k) This subdivision may also be enforced as described in section 179.875, subdivisions
167.11 3 to 6.

167.12 **Sec. 8. [179.8757] NOTIFICATION REQUIRED.**

167.13 (a) Meat-processing employers must provide written information and notifications about
167.14 employee rights under section 179.86 and sections 179.87 to 179.8757 to workers in their
167.15 language of fluency at least annually. If a worker is unable to understand written information
167.16 and notifications, the employer must provide such information and notices orally in the
167.17 worker's language of fluency.

167.18 (b) The coordinator must notify covered employers of the provisions of sections 179.87
167.19 to 179.8757 and any recent updates at least annually.

167.20 (c) The coordinator must place information explaining sections 179.87 to 179.8757 on
167.21 the Department of Labor and Industry's website in at least English, Spanish, and any other
167.22 language that at least ten percent of meat-processing workers communicate in fluently. The
167.23 coordinator must also make the information accessible to persons with impaired visual
167.24 acuity.

167.25 **Sec. 9. Minnesota Statutes 2022, section 182.654, subdivision 11, is amended to read:**

167.26 **Subd. 11. Refusal to work under dangerous conditions.** An employee acting in good
167.27 faith has the right to refuse to work under conditions which the employee reasonably believes
167.28 present an imminent danger of death or serious physical harm to the employee.

167.29 A reasonable belief of imminent danger of death or serious physical harm includes but
167.30 is not limited to a reasonable belief of the employee that the employee has been assigned
167.31 to work in an unsafe or unhealthful manner with a hazardous substance, harmful physical
167.32 agent or infectious agent.

168.1 An employer may not discriminate against an employee for a good faith refusal to
168.2 perform assigned tasks if the employee has requested that the employer correct the hazardous
168.3 conditions but the conditions remain uncorrected.

168.4 An employee who has refused in good faith to perform assigned tasks and who has not
168.5 been reassigned to other tasks by the employer shall, in addition to retaining a right to
168.6 continued employment, receive pay for the tasks which would have been performed if (1)
168.7 the employee requests the commissioner to inspect and determine the nature of the hazardous
168.8 condition, and (2) the commissioner determines that the employee, by performing the
168.9 assigned tasks, would have been placed in imminent danger of death or serious physical
168.10 harm.

168.11 Additionally, an administrative law judge may order, in addition to the relief found in
168.12 section 182.669:

168.13 (1) reinstatement of the worker to the same position held before any adverse personnel
168.14 action or to an equivalent position, reinstatement of full fringe benefits and seniority rights,
168.15 and compensation for unpaid wages, benefits and other remuneration, or front pay in lieu
168.16 of reinstatement; and

168.17 (2) compensatory damages payable to the aggrieved worker equal to the greater of \$5,000
168.18 or twice the actual damages, including unpaid wages, benefits and other remuneration, and
168.19 punitive damages.

168.20 **ARTICLE 12**

168.21 **REGULATION OF RESTRICTIVE EMPLOYMENT AGREEMENTS**

168.22 Section 1. **[181.141] SEXUAL HARASSMENT OR ABUSE SETTLEMENT;**
168.23 **PAYMENT AS SEVERANCE OR WAGES PROHIBITED.**

168.24 In a sexual harassment or abuse settlement between an employer and an employee, when
168.25 there is a financial settlement provided, the financial settlement cannot be provided as wages
168.26 or severance pay to the employee regardless of whether the settlement includes a
168.27 nondisclosure agreement.

168.28 **EFFECTIVE DATE.** This section is effective the day following final enactment and
168.29 applies to settlements entered into on or after that date.

169.1 **Sec. 2. [181.987] COVENANTS NOT TO COMPETE VOID IN EMPLOYMENT**
169.2 **AGREEMENTS; SUBSTANTIVE PROTECTIONS OF MINNESOTA LAW APPLY.**

169.3 **Subdivision 1. Definitions.** (a) "Covenant not to compete" means an agreement between
169.4 an employee and employer that restricts the employee, after termination of the employment,
169.5 from performing:

169.6 (1) work for another employer for a specified period of time;

169.7 (2) work in a specified geographical area; or

169.8 (3) work for another employer in a capacity that is similar to the employee's work for
169.9 the employer that is party to the agreement.

169.10 A covenant not to compete does not include a nondisclosure agreement, or agreement
169.11 designed to protect trade secrets or confidential information. A covenant not to compete
169.12 does not include a nonsolicitation agreement, or agreement restricting the ability to use
169.13 client or contact lists, or solicit customers of the employer.

169.14 (b) "Employer" means any individual, partnership, association, corporation, business,
169.15 trust, or any person or group of persons acting directly or indirectly in the interest of an
169.16 employer in relation to an employee.

169.17 (c) "Employee" as used in this section means any individual who performs services for
169.18 an employer, including independent contractors.

169.19 (d) "Independent contractor" means any individual whose employment is governed by
169.20 a contract and whose compensation is not reported to the Internal Revenue Service on a
169.21 W-2 form. For purposes of this section, independent contractor also includes any corporation,
169.22 limited liability corporation, partnership, or other corporate entity when an employer requires
169.23 an individual to form such an organization for purposes of entering into a contract for
169.24 services as a condition of receiving compensation under an independent contractor agreement.

169.25 **Subd. 2. Covenants not to compete void and unenforceable.** (a) Any covenant not to
169.26 compete contained in a contract or agreement is void and unenforceable.

169.27 (b) Notwithstanding paragraph (a), a covenant not to compete is valid and enforceable
169.28 if:

169.29 (1) the covenant not to compete is agreed upon during the sale of a business. The person
169.30 selling the business and the partners, members, or shareholders, and the buyer of the business
169.31 may agree on a temporary and geographically restricted covenant not to compete that will

170.1 prohibit the seller of the business from carrying on a similar business within a reasonable
170.2 geographic area and for a reasonable length of time; or

170.3 (2) the covenant not to compete is agreed upon in anticipation of the dissolution of a
170.4 business. The partners, members, or shareholders, upon or in anticipation of a dissolution
170.5 of a partnership, limited liability company, or corporation may agree that all or any number
170.6 of the parties will not carry on a similar business within a reasonable geographic area where
170.7 the business has been transacted.

170.8 (c) Nothing in this subdivision shall be construed to render void or unenforceable any
170.9 other provisions in a contract or agreement containing a void or unenforceable covenant
170.10 not to compete.

170.11 (d) In addition to injunctive relief and any other remedies available, a court may award
170.12 an employee who is enforcing rights under this section reasonable attorney fees.

170.13 Subd. 3. **Choice of law; venue.** (a) An employer must not require an employee who
170.14 primarily resides and works in Minnesota, as a condition of employment, to agree to a
170.15 provision in an agreement or contract that would do either of the following:

170.16 (1) require the employee to adjudicate outside of Minnesota a claim arising in Minnesota;
170.17 or

170.18 (2) deprive the employee of the substantive protection of Minnesota law with respect to
170.19 a controversy arising in Minnesota.

170.20 (b) Any provision of a contract or agreement that violates paragraph (a) is voidable at
170.21 any time by the employee and if a provision is rendered void at the request of the employee,
170.22 the matter shall be adjudicated in Minnesota and Minnesota law shall govern the dispute.

170.23 (c) In addition to injunctive relief and any other remedies available, a court may award
170.24 an employee who is enforcing rights under this section reasonable attorney fees.

170.25 (d) For purposes of this section, adjudication includes litigation and arbitration.

170.26 (e) This subdivision applies only to claims arising under this section.

170.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
170.28 applies to contracts and agreements entered into on or after that date.

ARTICLE 13

BUILDING AND CONSTRUCTION CONTRACTS

171.1
171.2
171.3 Section 1. Minnesota Statutes 2022, section 15.71, is amended by adding a subdivision
171.4 to read:

171.5 Subd. 1a. **Indemnification agreement.** "Indemnification agreement" means an agreement
171.6 by the promisor to indemnify, defend, or hold harmless the promisee against liability or
171.7 claims of liability for damages arising out of bodily injury to persons or out of physical
171.8 damage to tangible or real property.

171.9 Sec. 2. Minnesota Statutes 2022, section 15.71, is amended by adding a subdivision to
171.10 read:

171.11 Subd. 1b. **Promisee.** "Promisee" includes that party's independent contractors, agents,
171.12 employees, or indemnitees.

171.13 Sec. 3. Minnesota Statutes 2022, section 15.72, is amended by adding a subdivision to
171.14 read:

171.15 Subd. 3. **Unenforceability of certain agreements.** (a) An indemnification agreement
171.16 contained in, or executed in connection with, a contract for a public improvement is
171.17 unenforceable except to the extent that:

171.18 (1) the underlying injury or damage is attributable to the negligent or otherwise wrongful
171.19 act or omission, including breach of a specific contractual duty, of the promisor or the
171.20 promisor's independent contractors, agents, employees, or delegates; or

171.21 (2) an owner, a responsible party, or a governmental entity agrees to indemnify a
171.22 contractor directly or through another contractor with respect to strict liability under
171.23 environmental laws.

171.24 (b) A provision in a public building or construction contract that requires a party to
171.25 provide insurance coverage to one or more other parties, including third parties, for the
171.26 negligence or intentional acts or omissions of any of those other parties, including third
171.27 parties, is against public policy and is void and unenforceable.

171.28 (c) Paragraph (b) does not affect the validity of a provision that requires a party to provide
171.29 or obtain workers' compensation insurance, construction performance or payment bonds,
171.30 builder's risk policies, owner or contractor-controlled insurance programs or policies, or
171.31 project-specific insurance for claims arising out of the promisor's negligent acts or omissions

172.1 or the negligent acts or omissions of the promisors, independent contractors, agents,
 172.2 employees, or delegateses.

172.3 (d) Paragraph (b) does not affect the validity of a provision that requires the promisor
 172.4 to provide or obtain insurance coverage for the promisee's vicarious liability, or liability
 172.5 imposed by warranty, arising out of the acts or omissions of the promisor.

172.6 (e) Paragraph (b) does not apply to building and construction contracts for work within
 172.7 50 feet of public or private railroads, or railroads regulated by the Federal Railroad
 172.8 Administration.

172.9 Sec. 4. Minnesota Statutes 2022, section 337.01, subdivision 3, is amended to read:

172.10 Subd. 3. **Indemnification agreement.** "Indemnification agreement" means an agreement
 172.11 by the promisor to indemnify, defend, or hold harmless the promisee against liability or
 172.12 claims of liability for damages arising out of bodily injury to persons or out of physical
 172.13 damage to tangible or real property.

172.14 Sec. 5. Minnesota Statutes 2022, section 337.05, subdivision 1, is amended to read:

172.15 Subdivision 1. **Agreements valid.** (a) Except as otherwise provided in paragraph (b),
 172.16 sections 337.01 to 337.05 do not affect the validity of agreements whereby a promisor agrees
 172.17 to provide specific insurance coverage for the benefit of others.

172.18 (b) A provision that requires a party to provide insurance coverage to one or more other
 172.19 parties, including third parties, for the negligence or intentional acts or omissions of any of
 172.20 those other parties, including third parties, is against public policy and is void and
 172.21 unenforceable.

172.22 (c) Paragraph (b) does not affect the validity of a provision that requires a party to provide
 172.23 or obtain workers' compensation insurance, construction performance or payment bonds,
 172.24 ~~or project-specific insurance, including, without limitation, builder's risk policies or owner~~
 172.25 ~~or contractor-controlled insurance programs or policies~~ builder's risk policies, owner or
 172.26 contractor-controlled insurance programs or policies, or project-specific insurance for claims
 172.27 arising out of the promisor's negligent acts or omissions or the negligent acts or omissions
 172.28 of the promisors, independent contractors, agents, employees, or delegateses.

172.29 (d) Paragraph (b) does not affect the validity of a provision that requires the promisor
 172.30 to provide or obtain insurance coverage for the promisee's vicarious liability, or liability
 172.31 imposed by warranty, arising out of the acts or omissions of the promisor.

173.1 (e) Paragraph (b) does not apply to building and construction contracts for work within
173.2 50 feet of public or private railroads, or railroads regulated by the Federal Railroad
173.3 Administration.

173.4 Sec. 6. **EFFECTIVE DATE.**

173.5 Sections 1 to 5 are effective the day following final enactment and apply to agreements
173.6 entered into on or after that date.

APPENDIX
Repealed Minnesota Statutes: S3035-2

177.26 DIVISION OF LABOR STANDARDS.

Subd. 3. **Employees; transfer from Division of Women and Children.** All persons employed by the department in the Division of Women and Children are transferred to the Division of Labor Standards. A transferred person does not lose rights acquired by reason of employment at the time of transfer.