

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

S.F. No. 3428

(SENATE AUTHORS: UTKE)

DATE
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D-PG

5121 Introduction and first reading
Referred to Labor and Industry Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to labor; establishing the Employment Choice First Task Force; requiring
1.3 a report.

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

1.5 Section 1. **STATE EMPLOYMENT CHOICE FIRST POLICY FOR PEOPLE WITH**
1.6 **DISABILITIES PLANNING FOR A FULL ARRAY OF WORK OPTIONS.**

1.7 (a) It is the policy of the state that each person with a diagnosed disability is unique in
1.8 their ability to perform work tasks in any community-based job. Community-based jobs
1.9 include work settings integrated into nondisabled communities and communities of people
1.10 with disabilities.

1.11 (b) The state recognizes that an individual's informed choice of work setting results in
1.12 tangible and intangible benefits, including enhancement of independence and economic
1.13 self-sufficiency, purpose, dignity, self-esteem, and a sense of accomplishment and pride.

1.14 (c) The state recognizes that choice of employment by people with disabilities is through
1.15 informed choice. Choice and integration are determined by each person with disabilities as
1.16 they make informed-choice decisions related to services they need and want.

1.17 Sec. 2. **EMPLOYMENT CHOICE FIRST TASK FORCE.**

1.18 Subdivision 1. **Establishment.** No later than October 1, 2022, the commissioner of labor
1.19 and industry shall convene the Employment Choice First Task Force to plan the future
1.20 availability of the fullest array of employment options possible for people with disabilities.

1.21 Subd. 2. **Duties.** The task force must:

2.1 (1) conduct a comprehensive, objective examination of all existing available job training
2.2 and employment options that serve people with disabilities, identifying strengths, weaknesses,
2.3 successes, and failures of each available work option; and

2.4 (2) develop a comprehensive plan identifying and outlining recommendations for the
2.5 fullest possible array of work options for people with disabilities.

2.6 Subd. 3. **Membership.** (a) The following individuals and organizations shall be
2.7 represented on the task force:

2.8 (1) the commissioner of labor and industry or a designee;

2.9 (2) the commissioner of employment and economic development or a designee;

2.10 (3) the commissioner of human services or a designee;

2.11 (4) the commissioner of education or a designee;

2.12 (5) the director of the Minnesota Olmstead Implementation Office or a designee;

2.13 (6) three people representing a diversity of disabilities, as defined in Minnesota Statutes,
2.14 section 363A.03, subdivision 12, and the Americans with Disabilities Act, Public Law
2.15 101-336, one of whom must be a person paid subminimum wage rates as provided under
2.16 Minnesota Statutes, section 177.28, subdivision 5, Minnesota Rules, parts 5200.0030 and
2.17 5200.0040, and United States Code, title 29, section 214, subsection (c);

2.18 (7) two representatives of organizations that advocate on behalf of persons with a diversity
2.19 of disabilities, as defined in Minnesota Statutes, section 363A.03, subdivision 12, and the
2.20 Americans with Disabilities Act, Public Law 101-336;

2.21 (8) two representatives of families and legal guardians representing people with multiple
2.22 disabilities who are unable to speak for themselves;

2.23 (9) one representative of businesses that have employed people with disabilities, as
2.24 defined in Minnesota Statutes, section 363A.03, subdivision 12, and the Americans with
2.25 Disabilities Act, Public Law 101-336;

2.26 (10) two representatives of providers of employment services representing a diversity
2.27 of disabilities, as defined in Minnesota Statutes, section 363A.03, subdivision 12, and the
2.28 Americans with Disabilities Act, Public Law 101-336;

2.29 (11) one representative of Minnesota county case management services; and

2.30 (12) one representative of school district transition programs.

3.1 (b) The members listed in paragraph (a), clauses (6) to (12), must be appointed by the
3.2 commissioner of labor and industry in consultation with the speaker of the house of
3.3 representatives, house minority leader, senate majority leader, and senate minority leader.

3.4 (c) Of the members listed in paragraph (a), clauses (6) to (12), three must be
3.5 representatives of persons benefiting from subminimum wage center-based employment,
3.6 as provided under Minnesota Statutes, section 177.28, subdivision 5, Minnesota Rules, parts
3.7 5200.0030 and 5200.0040, and United States Code, title 29, section 214, subsection (c).

3.8 (d) Members must be appointed by August 1, 2022.

3.9 Subd. 4. **Meetings.** The commissioner of labor and industry must convene the first
3.10 meeting of the task force no later than October 1, 2022. Meetings of the task force are subject
3.11 to Minnesota Statutes, chapter 13D.

3.12 Subd. 5. **Administrative support.** The Department of Labor and Industry must provide
3.13 administrative support for the task force.

3.14 Subd. 6. **Chairperson.** The task force must elect a member by majority vote to serve as
3.15 its chairperson.

3.16 Subd. 7. **Compensation.** Compensation of task force members is governed by Minnesota
3.17 Statutes, section 15.059, subdivision 3.

3.18 Subd. 8. **Report.** The task force must report to the legislative committees and divisions
3.19 with jurisdiction over labor and employment policy and finance and human services policy
3.20 and finance with recommendations for providing the fullest possible array of work options
3.21 for people with disabilities by November 1, 2024.

3.22 Subd. 9. **Expiration.** This section expires on November 1, 2024, or on the date upon
3.23 which the report required under subdivision 8 is submitted to the legislature, whichever is
3.24 later.

3.25 **EFFECTIVE DATE.** This section is effective July 1, 2022.