

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 1098

(SENATE AUTHORS: PRATT and Rarick)

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

1.1 A bill for an act

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

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

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

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

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

1.7 accommodation; delaying implementation of the Public Employment Relations

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

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

1.10 business development public infrastructure grant program; extending certain job

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

1.12 pandemic; modifying certain unemployment benefits provisions; amending

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

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

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

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

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

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

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

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

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

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

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

1.24 subdivision 4.

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

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

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

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

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

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

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

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

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

2.7 **APPROPRIATIONS**
 2.8 **Available for the Year**
 2.9 **Ending June 30**
 2.10 **2022** **2023**

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

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

	<u>Appropriations by Fund</u>	
	<u>2022</u>	<u>2023</u>
2.14		
2.15		
2.16	<u>General</u> 187,874,000	<u>83,674,000</u>
2.17	<u>Remediation</u> 700,000	<u>700,000</u>
2.18	<u>Workforce</u>	
2.19	<u>Development</u> 32,375,000	<u>31,125,000</u>

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

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

	<u>Appropriations by Fund</u>	
	<u>2022</u>	<u>2023</u>
2.24		
2.25	<u>General</u> 139,329,000	<u>35,129,000</u>
2.26	<u>Remediation</u> 700,000	<u>700,000</u>
2.27	<u>Workforce</u>	
2.28	<u>Development</u> 2,350,000	<u>2,350,000</u>

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.31 (i)(1) \$750,000 each year from the workforce
4.32 development fund is for grants to the
4.33 Neighborhood Development Center for small
4.34 business programs. This is a onetime
4.35 appropriation.

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

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

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

5.31 (l) \$1,000,000 the first year is for the airport
5.32 infrastructure renewal (AIR) grant program
5.33 under Minnesota Statutes, section 116J.439.
5.34 In awarding grants with this appropriation, the
5.35 commissioner must prioritize eligible

6.1 applicants that did not receive a grant pursuant
6.2 to the appropriation in Laws 2019, First
6.3 Special Session chapter 7, article 1, section 2,
6.4 subdivision 2, paragraph (q).

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

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

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

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

6.33 (q) \$4,195,000 each year is for the Minnesota
6.34 job skills partnership program under

7.1 Minnesota Statutes, sections 116L.01 to
7.2 116L.17. If the appropriation for either year
7.3 is insufficient, the appropriation for the other
7.4 year is available. This appropriation is
7.5 available until June 30, 2025.

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

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

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

7.33 (u) \$200,000 the first year is for a grant to
7.34 Little Lakers Day Care Center. Grant funds
7.35 must be used to purchase kitchen equipment,

8.1 playground equipment, or for other costs
 8.2 necessary for the operation of a child care
 8.3 facility in Lake Crystal.

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

8.12 (2) Of the amount appropriated in clause (1),
 8.13 50 percent is for loans to businesses located
 8.14 in the seven-county metropolitan area. Of the
 8.15 amount under this clause, the commissioner
 8.16 may use a sum sufficient, not to exceed
 8.17 \$7,000,000, to satisfy the requirements of
 8.18 article 2, section 13, subdivision 3, clause (7).

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

8.27 (4) Beginning January 1, 2022, any remaining
 8.28 amount under clause (1) may be used for either
 8.29 clause (2) or (3).

8.30 **Subd. 3. Employment and Training Programs** 28,936,000 27,686,000

8.31	<u>Appropriations by Fund</u>		
8.32	<u>General</u>	<u>6,796,000</u>	<u>6,796,000</u>
8.33	<u>Workforce</u>		
8.34	<u>Development</u>	<u>22,140,000</u>	<u>20,890,000</u>

- 9.1 (a) \$250,000 each year is for the higher
9.2 education career advising program.
- 9.3 (b) \$500,000 each year from the general fund
9.4 and \$500,000 each year from the workforce
9.5 development fund are for rural career
9.6 counseling coordinators in the workforce
9.7 service areas and for the purposes specified
9.8 under Minnesota Statutes, section 116L.667.
- 9.9 (c) \$750,000 each year is for the women and
9.10 high-wage, high-demand, nontraditional jobs
9.11 grant program under Minnesota Statutes,
9.12 section 116L.99. Of this amount, up to
9.13 \$15,000 is for administration and monitoring
9.14 of the program.
- 9.15 (d) \$1,000,000 each year is from the
9.16 workforce development fund for a grant to
9.17 Summit Academy OIC to expand their
9.18 contextualized GED and employment
9.19 placement program and STEM program. This
9.20 is a onetime appropriation.
- 9.21 (e) \$150,000 each year is from the workforce
9.22 development fund for performance grants
9.23 under Minnesota Statutes, section 116J.8747,
9.24 to the YWCA of St. Paul to provide job
9.25 training services and workforce development
9.26 programs and services, including job skills
9.27 training and counseling. This is a onetime
9.28 appropriation.
- 9.29 (f) \$213,000 each year is from the workforce
9.30 development fund for Minnesota Family
9.31 Resiliency Partnership programs under
9.32 Minnesota Statutes, section 116L.96. The
9.33 commissioner, through the adult career
9.34 pathways program, shall distribute the funds

- 10.1 to existing nonprofit and Minnesota Family
10.2 Resiliency Partnership programs. This is a
10.3 onetime appropriation.
- 10.4 (g) \$4,604,000 each year is from the
10.5 workforce development fund and \$2,546,000
10.6 each year is from the general fund for the
10.7 pathways to prosperity competitive grant
10.8 program. Of this amount, up to \$143,000 is
10.9 for administration and monitoring of the
10.10 program.
- 10.11 (h) \$150,000 each year is from the workforce
10.12 development fund for grants to the Minnesota
10.13 Grocers Association Foundation for Carts to
10.14 Careers, a statewide initiative to promote
10.15 careers, conduct outreach, provide job skills
10.16 training, and grant scholarships for careers in
10.17 the retail food industry. This is a onetime
10.18 appropriation.
- 10.19 (i) \$250,000 each year is from the workforce
10.20 development fund for a grant to the American
10.21 Indian Opportunities and Industrialization
10.22 Center, in collaboration with the Northwest
10.23 Indian Community Development Center, to
10.24 reduce academic disparities for American
10.25 Indian students and adults. This is a onetime
10.26 appropriation. The grant funds may be used
10.27 to provide:
- 10.28 (1) student tutoring and testing support
10.29 services;
- 10.30 (2) training and employment placement in
10.31 information technology;
- 10.32 (3) training and employment placement within
10.33 trades;
- 10.34 (4) assistance in obtaining a GED;

- 11.1 (5) remedial training leading to enrollment
11.2 and to sustain enrollment in a postsecondary
11.3 higher education institution;
- 11.4 (6) real-time work experience in information
11.5 technology fields and in the trades;
- 11.6 (7) contextualized adult basic education;
- 11.7 (8) career and educational counseling for
11.8 clients with significant and multiple barriers;
11.9 and;
- 11.10 (9) reentry services and counseling for adults
11.11 and youth.
- 11.12 After notification to the chairs and minority
11.13 leads of the legislative committees with
11.14 jurisdiction over jobs and economic
11.15 development, the commissioner may transfer
11.16 this appropriation to the commissioner of
11.17 education.
- 11.18 (j) \$375,000 each year is from the workforce
11.19 development fund for a grant to the
11.20 Construction Careers Foundation for the
11.21 construction career pathway initiative to
11.22 provide year-round educational and
11.23 experiential learning opportunities for teens
11.24 and young adults under the age of 21 that lead
11.25 to careers in the construction industry. This is
11.26 a onetime appropriation. Grant funds must be
11.27 used to:
- 11.28 (1) increase construction industry exposure
11.29 activities for middle school and high school
11.30 youth, parents, and counselors to reach a more
11.31 diverse demographic and broader statewide
11.32 audience. This requirement includes, but is
11.33 not limited to, an expansion of programs to

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

- 13.1 support systems designed to reduce
13.2 intergenerational poverty, and youth
13.3 programming to promote educational
13.4 advancement and career pathways. At least
13.5 50 percent of this amount must be used for
13.6 programming targeted at greater Minnesota.
13.7 This is a onetime appropriation.
- 13.8 (l) \$700,000 each year is from the workforce
13.9 development fund for performance grants
13.10 under Minnesota Statutes, section 116J.8747,
13.11 to Twin Cities R!SE to provide training to
13.12 hard-to-train individuals. This is a onetime
13.13 appropriation.
- 13.14 (m) \$875,000 each year is from the workforce
13.15 development fund for a grant to the Minnesota
13.16 Technology Association to support SciTech
13.17 Internship Program, a program that supports
13.18 science, technology, engineering, and math
13.19 (STEM) internship opportunities for two- and
13.20 four-year college students and graduate
13.21 students in their field of study. The internship
13.22 opportunities must match students with paid
13.23 internships within STEM disciplines at small,
13.24 for-profit companies located in Minnesota
13.25 having fewer than 250 employees worldwide.
13.26 At least 200 students must be matched in the
13.27 first year and at least 200 students must be
13.28 matched in the second year. No more than 15
13.29 percent of the hires may be graduate students.
13.30 Selected hiring companies shall receive from
13.31 the grant 50 percent of the wages paid to the
13.32 intern, capped at \$2,500 per intern. The
13.33 program must work toward increasing the
13.34 participation among women or other

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

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

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

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

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

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

18.12 Appropriations by Fund

18.13 General Fund 4,171,000 4,171,000

18.14 Workforce

18.15 Development 55,000 55,000

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

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

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

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

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

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

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

19.1	<u>Subd. 6. Vocational Rehabilitation</u>		<u>36,691,000</u>	<u>36,691,000</u>
19.2	<u>Appropriations by Fund</u>			
19.3	<u>General</u>	<u>28,861,000</u>	<u>28,861,000</u>	
19.4	<u>Workforce</u>			
19.5	<u>Development</u>	<u>7,830,000</u>	<u>7,830,000</u>	
19.6	<u>(a) \$14,300,000 each year is for the state's</u>			
19.7	<u>vocational rehabilitation program under</u>			
19.8	<u>Minnesota Statutes, chapter 268A.</u>			
19.9	<u>(b) \$8,995,000 each year from the general fund</u>			
19.10	<u>and \$6,830,000 each year from the workforce</u>			
19.11	<u>development fund are for extended</u>			
19.12	<u>employment services for persons with severe</u>			
19.13	<u>disabilities under Minnesota Statutes, section</u>			
19.14	<u>268A.15. Of the amounts appropriated from</u>			
19.15	<u>the general fund, \$2,000,000 each year is for</u>			
19.16	<u>rate increases to providers of extended</u>			
19.17	<u>employment services for persons with severe</u>			
19.18	<u>disabilities under Minnesota Statutes, section</u>			
19.19	<u>268A.15.</u>			
19.20	<u>(c) \$2,555,000 each year is for grants to</u>			
19.21	<u>programs that provide employment support</u>			
19.22	<u>services to persons with mental illness under</u>			
19.23	<u>Minnesota Statutes, sections 268A.13 and</u>			
19.24	<u>268A.14.</u>			
19.25	<u>(d) \$3,011,000 each year is from the general</u>			
19.26	<u>fund for grants to centers for independent</u>			
19.27	<u>living under Minnesota Statutes, section</u>			
19.28	<u>268A.11.</u>			
19.29	<u>(e) \$1,000,000 each year is from the workforce</u>			
19.30	<u>development fund for grants under Minnesota</u>			
19.31	<u>Statutes, section 268A.16, for employment</u>			
19.32	<u>services for persons, including transition-age</u>			
19.33	<u>youth, who are deaf, deafblind, or</u>			
19.34	<u>hard-of-hearing. If the amount in the first year</u>			

20.1 is insufficient, the amount in the second year
 20.2 is available in the first year.

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

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

20.13 **Sec. 3. DEPARTMENT OF LABOR AND**
 20.14 **INDUSTRY**

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

20.16 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
20.17 <u>General</u>	<u>4,344,000</u>	<u>4,244,000</u>
20.18 <u>Workers'</u>		
20.19 <u>Compensation</u>	<u>22,009,000</u>	<u>22,009,000</u>
20.20 <u>Workforce</u>		
20.21 <u>Development</u>	<u>2,984,000</u>	<u>2,984,000</u>

20.22 The amounts that may be spent for each
 20.23 purpose are specified in the following
 20.24 subdivisions.

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

20.26 Appropriations by Fund

20.27 <u>General</u>	<u>900,000</u>	<u>900,000</u>
20.28 <u>Workers'</u>		
20.29 <u>Compensation</u>	<u>5,960,000</u>	<u>5,960,000</u>
20.30 <u>Workforce</u>		
20.31 <u>Development Fund</u>	<u>1,400,000</u>	<u>1,400,000</u>

20.32 (a) \$900,000 each year is from the general
 20.33 fund for system upgrades. This is a onetime
 20.34 appropriation. This appropriation includes
 20.35 funds for information technology project

21.1 services and support subject to Minnesota
 21.2 Statutes, section 16E.0466. Any ongoing
 21.3 information technology costs must be
 21.4 incorporated into the service level agreement
 21.5 and must be paid to the Office of MN.IT
 21.6 Services by the commissioner of labor and
 21.7 industry under the rates and mechanism
 21.8 specified in that agreement.

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

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

21.16	<u>Subd. 3. Labor Standards and Apprenticeship</u>	<u>5,028,000</u>	<u>4,928,000</u>
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21.17	<u>Appropriations by Fund</u>		
21.18	<u>General</u>	<u>3,344,000</u>	<u>3,344,000</u>
21.19	<u>Workforce</u>		
21.20	<u>Development</u>	<u>1,584,000</u>	<u>1,584,000</u>

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

21.23 (b) \$151,000 each year is from the workforce
 21.24 development fund for prevailing wage
 21.25 enforcement.

21.26 (c) \$1,133,000 each year is from the workforce
 21.27 development fund for the apprenticeship
 21.28 program under Minnesota Statutes, chapter
 21.29 178.

21.30 (d) \$100,000 each year is from the workforce
 21.31 development fund for labor education and
 21.32 advancement program grants under Minnesota
 21.33 Statutes, section 178.11, to expand and

22.1 promote registered apprenticeship training for
22.2 minorities and women.

22.3 (e) \$200,000 each year is from the workforce
22.4 development fund for grants to the
22.5 Construction Careers Foundation for the
22.6 Helmets to Hard Hats Minnesota initiative.
22.7 Grant funds must be used to recruit, retain,
22.8 assist, and support National Guard, reserve,
22.9 and active duty military members' and
22.10 veterans' participation into apprenticeship
22.11 programs registered with the Department of
22.12 Labor and Industry and connect them with
22.13 career training and employment in the building
22.14 and construction industry. The recruitment,
22.15 selection, employment, and training must be
22.16 without discrimination due to race, color,
22.17 creed, religion, national origin, sex, sexual
22.18 orientation, marital status, physical or mental
22.19 disability, receipt of public assistance, or age.
22.20 This is a onetime appropriation.

22.21 (f)(1) \$100,000 in the first year is for a grant
22.22 to Independent School District No. 294,
22.23 Houston, for the Minnesota Virtual Academy's
22.24 career pathway program with Operating
22.25 Engineers Local 49. The program may include
22.26 up to five semesters of courses, and must lead
22.27 to eligibility into the Operating Engineers
22.28 Local 49 apprenticeship program. The grant
22.29 may be used to encourage and support student
22.30 participation in the career pathway program
22.31 through additional academic, counseling, and
22.32 other support services provided by the
22.33 student's enrolling school district to provide
22.34 these services. This appropriation is available
22.35 until June 30, 2023; and

- 23.1 (2) by January 15, 2024, Independent School
 23.2 District No. 294, Houston, must submit a
 23.3 written report to the chairs and ranking
 23.4 minority members of the house of
 23.5 representatives and senate committees of the
 23.6 legislature having jurisdiction over education
 23.7 and workforce development describing
 23.8 students' experiences with the program. The
 23.9 report must document the program's spending,
 23.10 list the number of students participating in the
 23.11 program and entering the apprenticeship
 23.12 program, and make recommendations for
 23.13 improving support of career pathway programs
 23.14 statewide.
- 23.15 **Subd. 4. Workers' Compensation** 11,882,000 11,882,000
 23.16 This appropriation is from the workers'
 23.17 compensation fund.
- 23.18 **Subd. 5. Workplace Safety** 4,167,000 4,167,000
 23.19 This appropriation is from the workers'
 23.20 compensation fund.
- 23.21 **Sec. 4. WORKERS' COMPENSATION COURT**
 23.22 **OF APPEALS** \$ 2,283,000 \$ 2,283,000
 23.23 This appropriation is from the workers'
 23.24 compensation fund.
- 23.25 **Sec. 5. BUREAU OF MEDIATION SERVICES** \$ 2,165,000 \$ 2,165,000
 23.26 \$68,000 each year is for grants to area labor
 23.27 management committees. Grants may be
 23.28 awarded for a 12-month period beginning July
 23.29 1 each year. Any unencumbered balance
 23.30 remaining at the end of the first year does not
 23.31 cancel but is available for the second year.

24.1 **Sec. 6. DEPARTMENT OF REVENUE.**

24.2 \$20,550,000 is appropriated in fiscal year 2021 from the general fund to the commissioner
24.3 of revenue for business relief payments to businesses that were otherwise eligible for the
24.4 payments under Laws 2020, Seventh Special Session chapter 2, article 1, section 1, but for
24.5 an error in the North American Industry Classification System (NAICS) code on record for
24.6 the business with either the Department of Revenue or the Department of Employment and
24.7 Economic Development at the time the relief program was enacted. Upon confirmation that
24.8 the corrected NAICS code is on record for a business and is one of the NAICS codes listed
24.9 in Laws 2020, Seventh Special Session chapter 2, article 1, section 1, subdivision 2, paragraph
24.10 (b), clause (3), the commissioner of revenue shall issue a relief payment to the business in
24.11 an amount calculated as specified under Laws 2020, Seventh Special Session chapter 2,
24.12 article 1, section 1, subdivision 3. This appropriation is available until June 30, 2023.

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

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

24.15 \$20,650,000 of the appropriation in Laws 2020, Seventh Special Session chapter 2,
24.16 article 1, section 1, subdivision 7, is canceled.

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

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

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

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

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

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

ARTICLE 2

LABOR AND INDUSTRY

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

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

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

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

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

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

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

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

25.22 (1) the name of the employee;

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

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

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

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

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

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

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

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

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

26.5 (11) the telephone number of the employer.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30.25 (1) name;

30.26 (2) date of birth;

30.27 (3) Social Security number;

30.28 (4) telephone number;

30.29 (5) e-mail address;

30.30 (6) physical or mailing address;

30.31 (7) location data;

31.1 (8) online account access information; and

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

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

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

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

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

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

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

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

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

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

31.28 (i) certified building officials;

31.29 (ii) fire chiefs or fire marshals;

31.30 (iii) licensed architects;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

39.5 Sec. 17. **REPEALER.**

39.6 Minnesota Statutes 2020, section 181.9414, is repealed.

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

39.9 ARTICLE 3

39.10 ECONOMIC DEVELOPMENT

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

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

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

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

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

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

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

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

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

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

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

40.7 (1) manufacturing;

40.8 (2) technology;

40.9 (3) warehousing and distribution;

40.10 (4) research and development;

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

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

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

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

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

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

40.26 (1) retail development; or

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

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

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

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

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

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

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

41.13 Appropriations by Fund

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

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

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

41.18 Special Revenue \$150,000 -0-

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

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

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

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

41.32 (3) development of new business incubators.

41.33 This is a onetime appropriation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

52.12 Appropriations by Fund

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

52.14 Remediation 700,000 700,000

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

63.29 (ii) the commissioner consents in writing; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

65.26 **ARTICLE 4**

65.27 **UNEMPLOYMENT INSURANCE**

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

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

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

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

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

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

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

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

66.14 (i) general educational development diploma preparation;

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

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

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

66.19 (v) computer skills training; or

66.20 (vi) English as a second language instruction;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

72.2 Sec. 9. **REPEALER.**

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

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

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

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

181.9414 PREGNANCY ACCOMMODATIONS.

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

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

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

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

268.085 ELIGIBILITY REQUIREMENTS; PAYMENTS THAT AFFECT BENEFITS.

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

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

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

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

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