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State of Minnesota

# Chapter 53 – Jobs and Economic Development and Labor Omnibus Budget Bill

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## ARTICLE 1 Labor Policy

Section 1. **Single-family home prevailing wage.** Exempts from prevailing wages financial assistance for detached single-family affordable homes when financial assistance covers no more than ten fully detached homes.

Section 2. **Prevailing wage required.** Clarifies that a recipient of economic development financial assistance is subject to prevailing wage requirements and enforcement provisions.

Sections 3 to 5, 7 to 9, 13, and 14. **Department of Labor and Industry organization.** These sections make technical changes to reflect the creation of a separate division of apprenticeship (separate from the division of labor standards) within the Department of Labor and Industry.

Section 6. **Compliance orders.** Allows the commissioner to issue compliance orders for additional statutory (Agriculture and food processing workers, nursing home workers) references.

Section 10. Labor education advancement grant program (LEAP). Updates terminology used in the LEAP grant statute and including Tribal governments in participation in the program.

Section 11. Police bargaining units. Creates new bargaining units for police.

Section 12. Veterans' benefits and services poster. Requires the Department of Labor and Industry to prepare a veterans' benefits and services poster for employers.

Sections 15 to 20. **OSHA violations.** These sections increase penalties for OSHA violations and also allows for the commissioner to make adjustments to these penalty amounts for inflation.

Section 21. **Ergonomics.** Requires licensed health care facilities, warehouse distribution centers, and meatpacking sites to create and implement a written ergonomics program.

Section 22. **Fees nonrefundable.** Clarifies exceptions for refunding of fees including when a license is not issued.

Section 23. **Reinstatement of licenses.** Reduces fees for reinstatement of licenses issued under Ch. 326B.

Sections 24 to 27. **Electric vehicle parking spaces.** Add definitions related to electric vehicle parking spaces for purposes of the State Building Code and rulemaking.

Section 28. **State licensed facility.** Modifies the definition of "state licensed facility" to include assisted living facilities for purposes of the State Building Code and review of plans by DLI.

Section 29. Adoption of code. Directs the commissioner of labor and industry to act on the new model commercial energy code by adopting each new published edition of ASHRAE 90.1 or a more efficient standard.

Section 30. **Special requirements.** Directs the commissioner to adopt rules requiring (1) window cleaning safety features that comply with a nationally recognized standard; and (2) adult-size changing facilities as part of the State Building Code.

Section 31. **Electric vehicle charging.** Requires the State Building Code to require a minimum number of electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging stations either within or adjacent to new commercial and multifamily structures that provide on-site parking facilities.

Section 32. **Special skill.** Modifies the definition of "special skill" which would have the effect of requiring certain work involving more than one special skill related to solar photovoltaic systems to require a license as a residential contractor.

Section 33. **Rulemaking authority.** Allows the commissioner to use expedited rulemaking related to adult-size changing facilities.

Section 34. **Repealer.** Repeals obsolete reference to transfer of employees from Division of Women and Children.

## ARTICLE 2 Agriculture and Food Processing Workers

Section 1. **Definition.** Includes poultry processing in the definition of "employer" for purposes of the Packinghouse Workers Bill of Rights statute in Chapter 179.

Section 2. **Information provided to employee by employer.** Specifies that information regarding the employer's workers' compensation carrier and the right to workers' compensation coverage be provided by an employer at the start of employment in addition to existing information required on employee's rights and duties as an employee.

Section 3. **Civil action.** Adds a new subdivision allowing an employee to bring a cause of action for an injury caused by a violation of the Packinghouse Workers Bill of Rights statute. Specifies damage amounts, and includes costs and reasonable attorney fees.

Section 4. **Fine.** Adds a new subdivision specifying that the commissioner of labor and industry fine an employer not less than \$400 or more than \$1,000 for each violation of the information notice requirements. Specifies that the fine be paid to the employee aggrieved by the violation.

Section 5. **Prompt payment required.** Requires wages or commissions for migrant workers to be paid within three days, instead of within five days as required under current law, when the worker quits or resigns.

Section 6. **Definitions.** Amends the definition of "recruit" to clarify that recruit also includes inducing an individual to relocate within Minnesota in addition to only mean relocating to the state to work in food processing.

Section 7. **Recruiting; required disclosure.** Clarifies that the disclosure required by this subdivision is in addition to the notice requirements under § 181.032.

Section 8. **Civil action.** Increases the award amounts allowed for damages in a civil action brought under the section.

Section 9. **Fine.** Increases fine amounts for violations of the food processing employment recruitment statutory requirements. Specifies that the fine be paid to the employee aggrieved by the violation.

Section 10. **Standard disclosure form.** Specifies that any recruiting disclosure form provided by the department be provided in additional languages upon request in addition to being provided in English and Spanish.

Section 11. Agricultural labor. Amends the definition of "agricultural labor."

Section 12. Employer. Amends the definition of "employer."

Section 13. **Terms.** Requires the statement that must be provided to migrant workers at the time of recruitment be provided in another language if needed and include information about workers' compensation insurance coverage.

Section 14. **Biweekly pay.** Clarifies that payment may be required sooner than within three days of termination if a worker is discharged.

Section 15. **Guaranteed hours.** Clarifies that the bi-weekly 70-hour pay guarantee would be computed by using the highest of the federal, state, or local minimum wage, or any hourly wage rate indicated in the written employment statement. Increases the amount to be paid to migrant workers per day when work is not available under certain conditions.

Section 16. **Statement itemizing deductions from wages.** Requires the written statement for deductions from wages by an employer to comply with the notice requirements under § 181.032.

Section 17. **Record keeping.** Clarifies record keeping requirements for migrant workers recruited by an employer.

Section 18. Judgment; damages. Increases penalty amounts for violations of migrant worker protection laws.

Section 19. **Enforcement.** Allows the commissioner of labor and industry to assess penalties and provide the penalty to the migrant worker noncompliance.

## ARTICLE 3 Nursing Home Workforce Standards

Section 1. **Title.** Provides that sections 181.211 to 181.217 may be cited as the Minnesota Nursing Home Workforce Standards Board Act.

Section 2. **Employer liability.** Authorizes the commissioner of labor and industry to impose liability on employers for violations of any rule establishing nursing home employment standards under section 181.213 or notice requirements under section 181.215. Under existing law, the commissioner must order an employer to pay back pay, gratuities, compensatory damages, and liquidated damages to an aggrieved employee, and may impose a civil penalty of up to \$1,000 for each willful or repeat violation.

Section 3. **Definitions.** Defines terms for sections governing the Nursing Home Workforce Standards Board. Terms defined are board, certified worker organization, commissioner, employer organization, nursing home, nursing home employer, nursing home worker, and worker organization.

Section 4. **Minnesota Nursing Home Workforce Standards Board; establishment.** Establishes the board, specifies voting members of the board, and provides for terms, vacancies, election of a chairperson, staffing, compensation, application of other laws, voting, hearings and investigations, and department support.

Section 5. **Duties of the board; minimum nursing home employment standards.** Requires the board to adopt rules that establish minimum nursing home employment standards based on the board's investigations of market conditions and existing wages, benefits, and working conditions for nursing home workers. Requires initial standards to be adopted by August 1, 2024, and allows the board to use the expedited rulemaking process to adopt initial rules. Requires the board to review previously adopted minimum nursing home employment standards every two years and update the standards or recommend updates to them using the expedited rulemaking process.

Section 6. **Duties of the board; training for nursing home workers.** Requires the board to certify worker organizations to provide training to nursing home workers, establish curriculum requirements, and annually review the adequacy of curriculum requirements and revise them as appropriate. Also lists duties of certified worker organizations and nursing home employers, and requires nursing home workers to be compensated for training at their regular hourly rate, plus travel expenses for any offsite training.

Section 7. **Required notices.** Requires nursing home employers to provide notices informing nursing home workers of their rights and obligations regarding applicable minimum nursing home employment standards and local minimum standards. Specifies minimum requirements for

providing notice including specifying minimum content and posting requirements for notices required in this section, and to make available a template or sample notice.

Section 8. **Retaliation prohibited.** Prohibits retaliation, including discharge or demotion, against a nursing home worker for exercising any right under the Minnesota Nursing Home Workforce Standards Board Act, for participating in any hearing, investigation, proceeding, or training as provided under the Act or for informing another employer that a nursing home worker has engaged in protected activities under the Act. Requires reinstatement with the same conditions of employment for a nursing home worker who experiences retaliation.

Section 9. **Enforcement.** Provides for enforcement of the Minnesota Nursing Home Workforce Standards Board Act by the commissioner of labor and industry. Authorizes the commissioner of labor and industry to investigate suspected violations of the Minnesota Nursing Home Workforce Standards Board Act. Allows a nursing home worker or class of nursing home workers aggrieved by a violation of the minimum employment standards under the Act to bring a civil cause of action in district court.

Section 10. **Initial appointments.** Requires the governor to make initial appointments to the Board no later than August 1, 2023.

## ARTICLE 4 Combative Sports

Section 1. Combatant. Modifies the term "combatant."

Section 2. **Combative sport.** Modifies the term "combative sport" to include "professional or amateur kickboxing."

Section 3. **Combative sports contest.** Modifies the term "combative sports contest" to include "professional or amateur kickboxing."

Section 4. Martial art. Modifies the term "martial art."

Section 5. Kickboxing. Adds a definition of "kickboxing."

Section 6. Tough person contest. Modifies the definition of "tough person contest."

Section 7. Advisory council. Reduces the advisory council from nine members to five and exempts advisory council meetings on issues related to contest outcome challenges from the open meeting requirements of chapter 13D.

Section 8. **Rules.** Incorporates the most recent version of the Unified Rules of Boxing by reference as part of the chapter.

Section 9. **Commissioner duties.** Modifies commissioner duties by including development procedures for regulating kickboxing and to approve regulatory bodies to oversee contest.

Section 10. **Regulatory authority; tough person contests.** Clarifies that all tough person contests are subject to the most recent version of the Unified Rules of Boxing and requires wearing of headgear in all tough person contests.

Section 11. **Regulatory authority; mixed martial arts contests**. Exempts certain amateur martial arts and similar sporting events from regulation by Ch. 341.

Section 12. **Regulatory authority; kickboxing contests.** Provides regulatory authority over kickboxing contests.

Section 13. **Regulator authority; martial arts and amateur boxing.** Exempts martial arts and amateur boxing from regulation under Ch. 341.

Section 14. **Regulatory authority; certain students.** Exempts contests regulated by the Minnesota State High School League and other collegiate associations from regulation by Ch. 341.

Section 15. **Prelicensure requirements.** Modifies prelicensure requirements for promoters, combatants, and other licensees.

Section 16. **Expiration and application.** Changes expiration of licenses to be one year after the date of issuance instead of annually on December 31.

Section 17. Fee schedule. Modifies timing of contest fee payment dependent upon gross ticket sales and the value of complementary tickets.

Section 18. **Payment schedule.** Allows the commissioner to establish a payment schedule for promoters to pay referees, judges, timekeepers, and ringside physicians.

Section 19. Event approval. Establishes procedures for event approval.

Section 20. **Ambulance.** Requires a promoter to have an ambulance and two emergency medical technicians at all combative sports contests.

Section 21. **Physical examination required; fees.** Deletes language regarding the commissioner setting a schedule of fees for attending physicians at a combative sports contest.

Section 22. **Prohibited performance enhancing substances and testing.** Prohibits combatants from using performance enhancing substances and allows the commissioner to administer drug testing.

Section 23. **Challenging the outcome of a combative sport contest.** Sets rules for challenging the outcome of a combative sport contest.

Section 24. **Civil penalties.** Allows the commissioner to impose civil penalties if a regulatory body for a martial arts or amateur boxing event does not submit bout results and any suspensions to the commissioner within 72 hours after the event.

#### ARTICLE 5 Safe Workplaces for Meat and Poultry Processing Workers

Section 1. **Title.** Specifies a title to reference new sections 179.87 to 179.8757 as the Safe Workplaces for Meat and Poultry Processing Workers Act.

Section 2. Definitions. Provides definitions of terms used in the act.

Section 3. Worker rights coordinator. Requires the commissioner to appoint a meatpacking industry worker rights coordinator.

Section 4. **Refusal to work under dangerous conditions.** Provides a meat-processing worker the right to refuse to work under dangerous conditions.

Section 5. **Enforcement and compliance.** Provides enforcement and compliance authority of meatpacking operations to the commissioner of labor and industry.

Section 6. **Retaliation against employees and whistleblowers prohibited.** Prohibits a meatprocessing employer to discharge or discriminate against a worker because the employee has raised a concern about a meatpacking operation's health and safety practices.

Section 7. **Meatpacking worker chronic injuries and workplace safety.** Requires meatprocessing employers to adopt a safe worker program to minimize and prevent musculoskeletal disorders.

Section 8. **Notification required.** Requires meat-processing employers to provide to workers information and notifications about employee rights at least annually.

Section 9. **Refusal to work under dangerous conditions.** Allows an administrative law judge to order employee reinstatement and other relief to an employee who has refused to in good faith to work under dangerous conditions.

#### ARTICLE 6

## **Regulation of Restrictive Employment Agreements**

Section 1. Covenants not to compete void in employment agreements; substantive protections of Minnesota Law Apply. Makes covenants not to compete in employment agreements void and unenforceable unless the exception for sale or dissolution of a business applies. This section is effective July 1, 2023, and applies to contracts and agreements entered into on or after that date.

#### ARTICLE 7 Building and Construction Contracts

Section 1. **Indemnification agreement.** Mirrors the existing definition of "indemnification agreement" from Chapter 337 in Chapter 15 to clarify applicability to public contracts.

Section 2. **Promisee.** Mirrors the existing definition of "promisee" from Chapter 337 in Chapter 15 to clarify applicability to public contracts.

Section 3. **Unenforceability of certain agreements.** Specifies that an indemnification agreement in a contract for a public improvement or a provision in a contract for a public building or construction contract that requires one party in a contract to provide insurance for another party for negligent or intentional actions is void and unenforceable.

Section 4. **Indemnification agreement.** Adds the word "defend" to the definition of "indemnification agreement" to clarify responsibility for payment of legal fees.

Section 5. Agreements valid. Modifies project-specific insurance to limit those to claims to include only those negligent acts or omissions of the promisor's negligent acts or omissions or those of their independent contractors, agents, employees, or delegates. Reorganizes other provisions for clarity within the statute.

Section 6. **Effective date.** Provides an effective date of the day following final enactment and applies to agreements entered into on or after that date.

## ARTICLE 8 Public Employment Relations Board

Section 1. Access by labor organizations, Bureau of Mediation Services, Public Employment Relations Board. [§ 13.43, subd. 6] Amends the Minnesota Government Data Practices Act to allow the Public Employment Relations Board (PERB) access to personnel data if the responsible authority determines it is necessary or as ordered by the Bureau of Mediation Services or the PERB.

Section 2. **Public Employment Relations Board Data.** [§ 13.7909] Adds a new provision to the Minnesota Government Data Practices Act classifying data maintained by the PERB related to an unfair labor practice charge, complaint, or appeal protected nonpublic or confidential data that may be subject to protective order. Makes individual statements provided to the PERB private data on individuals before being admitted into evidence at a hearing, at which point it becomes public. Makes other types of data related to the PERB public data, including the: (1) filing date of an unfair labor charge; (2) status of an unfair labor charge; (3) name and job class of the charging and charged party; (4) alleged provision of law violated; (5) complaint issued by the PERB; and (6) unless subject to a protective order, the full and complete record of an evidentiary hearing before a hearing officer; recommended decisions and orders; exceptions to a recommended decision and order; briefs filed with the PERB; and decisions and orders issued by the PERB. Permits the PERB to grant access to protected nonpublic or confidential data if it would aid in implementing chapters 179 and 179A.

Section 3. **Open Meeting Law; exceptions.** [§ 179A.041, subd. 10] Provides that open meeting laws do not apply to certain meetings of the PERB, including those deliberating the merits of unfair labor charges, reviewing a recommended decision and order of a hearing officer, or reviewing decisions relating to unfair labor practices. Effective the day following final enactment.

#### ARTICLE 9 Warehouse workers

Section 1. [§ 182.6526] **Warehouse distribution worker safety**. Subdivision 1. **Definitions.** Provides definitions of terms used in the bill including "commissioner," "employee," "work speed data," "employer," "nonexempt employee," "warehouse distribution center," and "quota." Applies to employers with 250 or more employees at one warehouse distribution center or 1,000 or more employees at one or more warehouse distribution centers in Minnesota.

Subdivision 2. Written description required. Requires an employer to provide an employee with a written description of each quota to which the employee is subject, how it is measured, and any potential adverse employment action that could result from failure to meet the quota. Specifies that

the description be provided when the employee is hired or within 30 days of the effective date and then no fewer than two working days prior to the effective date of a modification of a quota. Prohibits an adverse employment action against an employee for failure to meet an undisclosed quota.

Subdivision 3. **Breaks.** Prohibits an employer from requiring an employee to meet a quota that prevents compliance with meal or rest or prayer periods, use of restroom facilities, or occupational health and safety standards. Prohibits an adverse employment action against an employee under this subdivision.

Subdivision 4. Work speed data. Allows employees to request their work speed data from their employer for the most recent 90 days either orally or in writing up to four times a year. Requires employers to provide the data within four business days and when an employee is disciplined or fired for failing to meet a quota. Prohibits retaliation against an employee for requesting this data.

Subdivision 5. **High rates of injury.** Requires the commissioner of labor and industry to investigate violations under this section if OSHA data shows a 30 percent higher than the year's average incidence rate. Requires monthly safety meetings until the incidence rates fall below 30 percent higher than the average for two years.

Subdivision 6. **Enforcement.** Provides enforcement by the commissioner of labor and industry, as provided under existing law. Allows the commissioner to inspect and investigate and issue written citations for violations, set a reasonable timeline to correct violations, and impose a penalty. Also creates a private civil cause of action for an employee aggrieved by violations of this section. Allows an employee to receive damages and costs, an injunction to comply, and other equitable relief determined by the district court, including reinstatement with back pay. Requires a cause of action to be commenced within one year of the date of injury.

Provides an effective date of August 1, 2023, for this section.

#### **ARTICLE 10** Construction worker wage protections

Section 1. **Examination of records.** [§ 177.27, subd. 1] Authorizes the commissioner of labor and industry to transcribe the books, registers, payrolls, and other records as necessary and to question employees for compliance under section 181.165 (wage protection; construction workers).

Section 2. **Compliance orders.** [§ 177.27, subd. 4] Authorizes the commissioner of labor and industry to issue orders to comply with section 181.165 (wage protection; construction workers). Specifies that a contested case proceeding must then be held in accordance with section 181.165.

Section 3. **Court actions; suits brought by private parties.** [§ 177.27, subd. 8] Allows an employee to bring a civil action for a violation of section 181.165. Specifies that a contractor that has assumed a subcontractor's liability is liable to an employee for the full amount of wages, less any amount the contractor can show was actually paid and for liquidated damages.

Section 4. **District court jurisdiction.** [§ 177.27, subd. 9] Provides that an action brought for a violation of section 181.165 may be filed in district court.

Section 5. **Attorney fees and costs.** [§ 177.27, subd. 10] Specifies that a court order an employer found to have committed a violation of section 181.165 to pay the employee or employees reasonable costs, disbursements, witness fees, and attorney fees.

Section 6. Wage protection; construction workers. [§ 181.165] Subdivision 1. Definitions. Defines terms for this section regarding wage protection for construction workers. Terms defined are claimant, commissioner, construction contract, contractor, owner, and subcontractor.

Subdivision 2. Assumption of liability. Specifies that a contractor entering into a construction contract assumes and is liable for any unpaid wages, fringe benefits, and resulting liquidated damages owed to a claimant or third party. Prohibits a contractor from evading liability under this section either by agreement or other actions.

Subdivision 3. **Enforcement.** Allows an employee to designate a person, organization, or collective bargaining agent authorized to file a complaint with the commissioner or in court to make a wage claim on the claimant's behalf. Allows the attorney general to bring a civil action on behalf of employees.

Subdivision 4. **Payroll records; data.** Requires a subcontractor to provide payroll records and other data for all workers, including independent contractors, providing labor on the project to a requesting contractor or subcontractor within 15 days of a request. Allows a contractor to withhold payments owed to a subcontractor at any tier for a failure to comply with a request for information. Prohibits a contractor or subcontractor from disclosing an individual's personal identifying information to the general public.

Subdivision 5. **Payments to contractors and subcontractors.** Specifies that this section does not alter any payment obligations to contractors and subcontractors required under the statute governing building and construction contracts unless permitted by this section.

Subdivision 6. **Exemptions.** Provides that nothing in this section diminishes the rights, privileges, or remedies of any employee under any collective bargaining agreement. Allows provisions of this section to be waived by a collective bargaining agreement. Exempts work for which prevailing wage rates apply.

Section 7. **Employer; definition.** [§ 181.171] Amends the definition of "employer" within the statute regarding private civil actions to include a contractor that has assumed a subcontractor's liability within the meaning under section 181.165 (wage protection; construction workers).

Section 8. Effective date. Provides an effective day of August 1, 2023, and applicable to contracts or agreements entered into, renewed, modified, or amended on or after that date.

#### ARTICLE 11 Miscellaneous

Section 1. Access by labor organizations for personnel data. [13.43, subdivision 6] Requires personnel data to be disseminated to labor organizations to the extent necessary for certain public labor relations purposes. Also requires personnel data under section 179A.07, subdivision 8, to be disseminated to a union as provided under that subdivision. Clarifies data that is considered private data on individuals.

Section 2. **Employee salaries and benefits in event of state government shutdown.** [16A.1335] Requires payment of lost salary and benefits to employees of an executive agency, the house of representatives, senate, Legislative Coordinating Commission, or another office or department of the legislature, or to a judicial branch agency, department, or court, if money for their operations has not been appropriated or enacted by July 1st of an odd-numbered year. Appropriates money for this purpose when necessary, requires certification of salary and benefit amounts from the appropriate entity, and specifies how subsequent appropriations would interact.

Section 3. **Plan (E-learning days).** [120A.414, subdivision 2] Requires a school board to meet and negotiate with the exclusive representative of teachers before adopting an e-learning day.

Section 4. **Limitations on license (Tier 1 licenses).** [122A.181, subdivision 5] Allows a teacher with a Tier 1 license to be in the teacher bargaining unit under PELRA.

Section 5. Exceptions (Community education teachers; licensure requirements). [122A.26, subdivision 2] Allows community education and early childhood family education teachers to obtain tenure or continuing contract. This section is from **S.F. 1633** (Hauschild).

Section 6. **Probationary period.** [122A.40, subdivision 5] Reduces from 120 to 60 the number of days of teaching service a probationary teacher must complete during the probationary period.

Section 7. **Probationary period; discharge or demotion.** [122A.41, subdivision 2] Modifies the teacher probationary period to be the same as it is for districts in cities not in the first class. Sets the probationary period in a subsequent district at one year for a teacher that completes the three-year period in the first district. Reduces from 120 to 60 the number of days of teaching service a probationary teacher must complete during the probationary period.

Section 8. **Compliance orders.** [177.27, subdivision 4] Provides the commissioner of labor and industry the authority to issue compliance orders regarding the prohibition on restrictive franchise agreements.

Section 9. **Project.** [177.42, subdivision 2] Modifies the definition of "project" as it pertains to prevailing wage requirements.

Section 10. **Public employee or employee.** [179A.03, subdivision 14] Modifies the definition of "public employee" for purposes of PELRA. Allows a temporary or seasonal school district or charter school employee to be counted as a "public employee," for purposes of collective bargaining. Also adds an individual hired by the Board of Trustees of the Minnesota State Colleges and Universities as the instructor of record to teach (1) one class for more than three credits in a fiscal year, or (2) two or more credit bearing classes in a fiscal year as a "public employee" for collective bargaining purposes, and removes the existing exclusion under PELRA.

Section 11. **Teacher.** [179A.03, subdivision 18] Modifies the definition of "teacher" for purposes of PELRA, which determines what individuals can be in the teacher bargaining unit. Includes in the definition of teacher, a person providing instruction to children in a prekindergarten or early

learning program but allows these teachers to stay in a different bargaining unit certified before January 1, 2023, with some exceptions.

Section 12. **Terms and conditions of employment.** [179A.03, subdivision 19] Requires collective bargaining over staffing ratios, class sizes in school districts and charter schools, student testing, and student-to-personnel ratios in school districts.

Section 13. **Payroll deduction, authorization, and remittance.** [179A.06, subdivision 6] Clarifies existing law to allow a payroll deduction for a union based on the union's certification of a public employee's signed authorization for the deduction. A public employee's authorization may be made by electronic signature and remains in effect until the union notifies the employer of a change or cancellation. Specifies other requirements related to deduction timing, requests, and unfair labor practices.

Section 14. **Inherent managerial policy.** [179A.07, subdivision 1] Removes the number of personnel as a matter of inherent managerial policy that public employers are not required to meet and negotiate on.

Section 15. **Time off.** [179A.07, subdivision 1] Requires a public employer to give reasonable time off to elected or appointed officials of a union affiliate to conduct union duties.

Section 16. **Bargaining unit information.** [179A.07, subdivision 8] Requires a public employer to provide certain contact information for new employees to the union within 10 calendar days of hire. Requires the employer to provide the union certain contact information for all bargaining unit employees every 120 calendar days beginning on January 1, 2024.

Section 17. Access. [179A.07, subdivision 9] Requires a public employer to provide a union access to members of the bargaining unit in specific ways and at specified times, access to the public employer's e-mail system to communicate with bargaining unit members, and access to facilities owned or leased by the public employer to conduct meetings with bargaining unit members for specific reasons. Requires a public employer to provide notice to a union of new hire orientation in advance, as well as providing access to new hires for in person meetings.

Section 18. **Majority verification procedure.** [179A.12, subdivision 2a] Allows an employee organization to request certification as the union for a unit without requiring an election upon the commissioner's verification that over 50 percent of employees in the proposed unit wish to be represented by that employee organization. Requires the employee organization to submit authorization signatures by affected employees as verification.

Section 19. Authorization signatures. [179A.12, subdivision 6] Provides that a public employee's authorization signature is valid for one year and may be electronically signed.

Section 20. **Unfair labor practices.** [179A.12, subdivision 11] Adds majority verification procedures under section 179A.12, subdivision 2a, to the unfair labor practices provision under PELRA referencing elections.

Section 21. **Retaliation.** [181.03, subdivision 6] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for asserting rights under 181.03 (Certain Acts Relating to Payment of Wages Unlawful), 177.21 177.44 (Minnesota Fair Labor Standards Act and Prevailing Wage Act), 181.01 181.723 (Payment of Wages Act and other employment-related laws), and 181.79 (Wage Deductions).

Section 22. **Payroll deduction.** [181.06, subdivision 2] Requires an employer to make a payroll deduction for contributions to a nonprofit organization when requested by five or more employees.

Section 23. **Wage disclosure protection.** [181.172] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for asserting rights under the Wage Disclosure Protection statute.

Section 24. **Definitions.** [181.275, subdivision 1] Modifies the definition of "taking action against" to clarify the types of action that are included.

Section 25. **Employer-sponsored meetings or communication.** [181.531] Subdivision 1. **Prohibition.** Prohibits an employer from firing, disciplining, or otherwise penalizing an employee because the employee declines to attend, participate, or listen to an employer-sponsored meeting or communication on religious or political matters, as a way to compel the employee's involvement in those activities, or for reporting a violation of this section in good faith.

Subdivision 2. **Remedies.** Allows an aggrieved employee to bring a civil action in district court and provides the relief that may be granted.

Subdivision 3. **Notice.** Requires an employer to post notice of the requirements under this section within 30 days of its enactment.

Subdivision 4. **Scope.** Specifies that this section does not prohibit employer communications that are required by law, employer-sponsored meetings or communications on religious or political matters or speech where the employee's participation is wholly voluntary, or providing information to employees that is necessary to their job duties.

Subdivision 5. Definitions. Provides definitions of "political matters" and "religious matters."

Section 26. **Prohibited action.** [181.932, subdivision 1] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for asserting rights under the Minnesota Whistleblower Act.

Section 27. Nursing mothers, lactating employees, and pregnancy accommodations. [181.939] Subdivision 1. Nursing mothers and lactating employees. Removes language limiting the right to reasonable break times to express milk to the twelve months following the birth of the employee's child. Clarifies that break times may run concurrently with break times already provided. Removes the ability of the employer to not provide break times if it would unduly disrupt the operations of the employer. Clarifies that the location provided to employees to express milk needs to be clean, private, and secure. Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for asserting rights under the subdivision governing nursing mothers.

Subdivision 2. **Pregnancy accommodations.** Specifies other types of eligible reasonable accommodation. Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for asserting rights under the pregnancy accommodations subdivision. Amends the definition of employer to include a person or entity that employs one or more employees instead of fifteen or more employees as is in current law.

Subdivision 3. **Notice to employees.** Requires an employer to inform employees in writing of their rights to express milk and pregnancy accommodation at the time of hire and when an employee requests parental leave and requires the notice be included in any employee handbook. Requires the commissioner to provide the text to be included in the notice.

Section 28. **Employee.** [181.940, subdivision 2] Amends the definition of employee to remove the requirement that an employee be employed for at least 12 months at least half time preceding a request for an unpaid pregnancy or parental leave, school conference and activities leave, or sick and safety leave and includes all individuals employed by the employer.

Section 29. **Employer.** [181.940, subdivision 3] Amends the definition of employer to a person or entity that employs one or more employees, decreased from 21 or more employees, for purposes of an unpaid pregnancy or parental leave, school conference and activities leave, or sick and safety leave.

Section 30. **No employer retribution.** [181.941, subdivision 3] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for requesting or obtaining an unpaid pregnancy or parental leave of absence.

Section 31. **Sick leave benefits; care of relatives.** [181.9413] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for requesting or using personal sick leave benefits.

Section 32. **Reinstatement after leave.** [181.942] Provides an employee the right to return to the employee's former or comparable position at the same rate of pay and benefits after a leave obtained as a reasonable pregnancy accommodation.

Section 33. **Posting of law.** [181.0436] Requires the Division of Labor Standards to develop an educational poster on employee rights to nursing and pregnancy accommodations for employers to post on the employer's premises.

Section 34. **No employer sanctions.** [181.945, subdivision 3] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for requesting or obtaining a leave of absence for bone marrow donations under the Leave for Bone Marrow Donations law.

Section 35. No employer sanctions. [181.9456, subdivision 3] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for requesting or obtaining a leave of absence under the Leave for Organ Donation law.

Section 36. **Retaliation prohibited.** [181.956, subdivision 5] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for asserting rights and remedies under the Drug and Alcohol Testing in the Workplace Act statutes.

Section 37. **Retaliation prohibited.** [181.964] Modifies retaliation language to clarify types of prohibited retaliatory action an employer shall not take against an employee for accessing and reviewing their personnel record.

Section 38. **Restrictive franchise agreements prohibited.** [181.991] Subdivision 1. **Definitions.** Provides definitions for terms used in this section including "employee," "employer," and "franchise," "franchisee," and "franchisor."

Subdivision 2. **Prohibition on restrictive franchise agreements.** Prohibits a franchisor from restricting, restraining, or prohibiting a franchisee from soliciting or hiring an employee (1) of a franchisee of the same franchisor; or (2) an employee of the franchisor. Provides that any provision in an existing contract that violates these provisions is void and unenforceable.

Subdivision 3. **Franchise agreement amendment.** Requires franchisors to amend existing franchise agreements to remove any restrictive employment provision that violates this section no later than one year after the effective date of this section. Provides an **effective date** of the day following final enactment.

Section 39. **Authority to inspect.** [182.659, subdivision 1] Prohibits an employer or its representatives, including management, attorneys, or consultants, to be present for any employee interview conducted as part of an OSHA inspection.

Section 40. **Protection from subpoena; data.** [182.659, subdivision 8] Clarifies that no current or former employee of the department of labor and industry is subject to a subpoena related to an OSHA inspection unless it is part of an enforcement proceeding.

Section 41. **Classification of citation data.** [182.66, subdivision 4] Makes citations received by MNOSHA public 20 days after an employer has received the citation. Includes all parts of the citation. Specifies that if a notice of contest is filed, the date that the notice was filed is classified as public 20 days after the employer receives the citation.

Section 42. **Contestation of time for correction of a violation.** [182.661, subdivision 3c] Specifies the period of time for correction of violations that are not serious, willful, or repeat violations and for those that are serious, willful, or repeat violations.

Section 43. **Safety committees.** [182.676] Clarifies that public and private employers with 25 or fewer employees must establish a safety committee only if it is subject work place programs or Workplace Accident and Injury Reduction (AWAIR) program requirements.

Section 44. **Examination results.** [326B.093, subdivision 4] Modifies the timeline for when an applicant can submit a new license application after failing the licensing exam from 30 days after the notification of denial to 30 days after the date of the failed examination.

Section 45. **Refrigerants designated as acceptable for use.** [326B.106, subdivision 16] Prohibits the State Building Code from limiting the use of a refrigerant designated as acceptable for use in accordance with United States Code as long as any equipment containing the refrigerant is listed and installed consistent with the safety standards and use conditions imposed for the designation.

Section 46. Elevator. Clarifies the definition of "platform lift."

Section 47. **Platform lift.** [326B.163] Defines "platform lift" as a powered device for transporting mobility-impaired people on a guided platform.

Section 48. **Exemption from licensing.** [326B.164, subdivision 13] Allows work to be performed on conveyors other than vertical reciprocating conveyors, platform lifts other than those carrying mobility-impaired people, and dock levelers without being a licensed elevator contractor.

Section 49. **Technology system contractor.** Expands the definition of "technology system contractor" to include licensed contractors whose responsible licensed individual is a licensed master electrician.

Section 50. **Composition.** Changes the composition of the Board of Electricity with regard to power limited technicians.

Section 51. **Exemptions from inspections.** Provides that certain work for load control is exempted from electrical inspections.

Section 52. **Electric utility exemptions; additional requirements.** Provides requirements for the exempted load control work including that it must be: (1) performed by a licensed electrician employed by a class A electrical contractor; (2) for replacement or repair of existing equipment for an electric utility other than a public utility only; and (3) completed on or before December 31, 2028.

Section 53. **Exemptions**. Modifies the exemption for owners of residential real estate from the requirement to be licensed as a residential building contractor.

Section 54. **Reciprocity with other states.** Rewrites the statute relating to granting reciprocal licenses to people licensed in other states. Sets out new rules for how and when the commissioner may enter into interstate reciprocity agreements about licensing.

Section 55. **Composition.** [326B.925] Eliminates the requirement that the two members of the Board of High Pressure Piping Systems who are journeryworkers must be engaged in the business of high pressure piping systems installation.

Section 56. **Exceptions.** [326B.988] Modifies an exception from the boiler inspection and licensing provisions.

Section 57. Sacred communities and micro unit dwellings. [327.30] Subdivision 1. Definitions. Provides definitions for this section.

Subdivision 2. **Dwelling in micro units in sacred communities authorized.** Authorizes religious institutions to provide permanent housing in sacred communities composed of micro units. Requires each religious institution that has sited a sacred community to annually certify compliance to the local unit of government.

Subdivision 3. **Sacred community requirements**. Establishes requirements for sacred communities, including housing designated volunteers, providing residents access to utilities, carrying appropriate insurance, approving plans for how the community will function, receiving municipal approval, and complying with landlord and tenant laws.

Subdivision 4. **Micro unit requirements.** Lays out technical standards for micro units to be eligible for placement in a sacred community, including rules and standards related to size, anchoring, grade of materials, insulation, toilets, electrical systems, framing, and life and safety systems. Requires all units and their anchoring be inspected and certified for compliance with these technical standards by a licensed professional engineer or qualified third-party inspector. Stipulates the need to comply with any rules related to utility connections and setback requirements.

Provides an effective date for this section of January 1, 2024.

Section 58. **Witnesses; subpoenas; depositions; discovery.** [527B.17] Allows an arbitrator to issue a protective order to prevent disclosure of data classified as nonpublic or private under chapter 13.

Section 59. **Repealer.** Repeals section 179A.12, subdivision 2, requiring certification upon joint request, which is being replaced by new subdivision 2a, majority verification procedure.

#### ARTICLE 12 Earned Sick and Safe Time

Section 1. **Required statement of earnings by employer; notice to employee.** [§181.032] Requires an employer to provide information regarding earned sick and safe time accruals and use on an employee's earnings statement.

Section 2. **Comparable position.** [§181.942, subd. 1] Specifies that an employee returning from earned sick and safe time leave is entitled to return to the employee's former position.

Section 3. **Posting of law.** [§181.9436] Adds earned sick and safe time notices to those educational posters the department of labor and industry's Division of Labor Standards and Apprenticeship must develop.

Section 4. **Definitions**. [§181.9445] Provides definitions for the article. Defines "employee" as anyone who has worked at least 80 hours in a year for an employer but does not include an independent contractor.

Section 5. Accrual of earned sick and safe time (ESS). [§ 181.9446] Requires employers to allow employees to earn, at a minimum, one hour of paid ESS time for every 30 hours worked, up to 48 hours per year. Allows employees to carry over accrued but unused hours of ESS time from year to year. Total accrued but unused ESS cannot exceed 80 hours at any time unless agreed to by the employer. Allows for alternatives to carry over of accrued but unused time. Accrual of ESS begins when a qualified employee begins employment and may be used as it is accrued. Salaried

employees, who are exempt from the provisions of federal overtime laws, are considered to work 40 hours per week for purposes of ESS accrual.

Section 6. Use of earned sick and safe time. [§ 181.9447] Subdivision 1. Eligible use. Provides the eligible uses for ESS time. These include: (1) an employee's mental or physical illness, treatment, or preventative care; (2) care of a sick family member or a family member in need of preventative care or treatment; (3) absence related to domestic abuse, sexual assault, or stalking of an employee or family member; (4) closure of an employee's workplace due to weather or public emergency; and (5) a determination by a health care provider that an employee or family member is at risk of infecting others with a communicable disease. Defines "public emergency" for the purpose of the subdivision.

Subdivision. 2. **Notice.** Allows an employer to require reasonable notice of up to seven days when the need for ESS time is foreseeable, or as soon as practicable when the need is unforeseeable.

Subdivision 3. **Documentation.** Allows an employer to require an employee to provide reasonable documentation justifying use of three or more consecutive days of ESS time. Provides examples of reasonable documentation.

Subdivision 4. **Replacement worker.** Prohibits employers from making employees find replacement workers as a condition of using ESS time.

Subdivision 5. **Increment of time used.** Allows employees to use ESS time in smaller increments of up to four hours, as tracked by the employer's payroll.

Subdivision 6. **Retaliation prohibited.** Prohibits an employer from retaliating against an employee for requesting or taking ESS time or for exercising another right under the ESS provisions.

Subdivision 7. **Pay and benefits.** Requires an employer to maintain any insurance coverage while an employee is taking ESS leave, provided that the employee continues to pay any required employee share of the cost. Requires an employer to provide the same pay and benefits to an employee returning from ESS leave, including retaining seniority and accrued pre-leave benefits, and any automatic pay adjustments.

Subdivision 8. **Part-time return from leave.** Allows an employee to return to work on a part-time basis during a period of ESS leave with agreement from their employer, without forfeiting their right to reinstatement at the end of the ESS leave.

Subdivision 9. **Notice and posting by employer.** Requires employers to provide notice of employee rights under the ESS provisions at the start of employment or the effective date of this bill, whichever is later. Effective notice includes posting the notice at workplace locations, providing a paper or electronic copy, or conspicuously posting in a web platform.

Subdivision 10. **Required statement to employee.** Requires an employer, upon employee request, to provide a statement including the amount of ESS time available to the employee and the amount of ESS time used by the employee.

Subdivision 11. **Employer records.** Requires an employer to keep records about hours worked and ESS accrual and use by employees and allows an employee to view their own employee records.

Subdivision 12. **Confidentiality and nondisclosure.** Sets requirements for confidential treatment of employee's health, medical, and other private records collected in relation to ESS time.

Section 7. Effect on other law or policy. [§ 181.9448] Subdivision. 1. No effect on more generous sick and safe time policies. Clarifies that nothing prohibits an employer or collective bargaining agreement from adopting more generous leave policies than the minimum ESS required by these new sections of law. Permits collective bargaining agreements or paid time off policies that provide the same or better leave. Does not require employers to provide additional ESS if they are already providing the same or better leave. Allows the ESS requirements to be waived by a collective bargaining agreement with a bona fide building and construction trades labor organization.

Subdivision 2. **Termination; separation; transfer.** Provides that employers are not required to pay out any accrued ESS time upon separation from employment. An employee transferred within a single employer retains accrued ESS time and an employee hired back by the same employer within 180 days of termination is entitled to reinstatement of accrued ESS time.

Subdivision 3. **Employer succession.** Allows employees to retain earned but unused ESS time when ownership transfers to a different employer.

Section 8. **Repealer.** Repeals § 181.9413 that allows employees to use employer provided sick days to care for a sick relative or to provide or receive assistance for domestic abuse, sexual assault, or stalking.

Section 9. Effective date. Makes Article 1 effective January 1, 2024.

## **ARTICLE 13** Earned Sick and Safe Time Enforcement

Section 1. **Submission of records; penalty.** [§ 177.27, subd. 2] Increases the maximum penalty for employers who fail to submit required records to the Department of Labor and Industry (DLI) from \$1,000 to \$10,000 per violation. Removes penalty for repeated failure. This section is effective July 1, 2023.

Section 2. **Compliance orders.** [§ 177.27, subd. 4] Adds earned sick and safe time provisions to the list of laws that the DLI may enforce through compliance orders. This section is effective January 1, 2024.

Section 3. **Employer liability.** [§ 177.27, subd. 7] Increases the maximum civil penalty from \$1,000 to \$10,000 for employers who violate any of the sections over which DLI has enforcement authority. This section is effective July 1, 2023.

Section 4. **Earned sick and safe time enforcement.** [§ 177.50] Subdivision 1. **Definitions.** Provides the same definitions from article 12 apply to this article.

Subdivision 2. **Individual remedies.** Allows an employee injured by a violation of the ESS provisions to bring a civil lawsuit in court within three years of the violation.

Subdivision 3. **Grants to community organizations**. Allows the DLI commissioner to make grants to community organizations for outreach and education about the ESS provisions.

Subdivision 4. **Report to legislature.** Requires DLI to submit an annual report to the legislature providing a list of all ESS violations and trends in violations by employer, industry, or county.

Subdivision 5. **Contract for labor or services.** Prohibits an employer knowingly contracting with an entity that has violated this section within the last two years and not cured their noncompliance. This section is effective January 1, 2024, except the Community grants provision is effective the day after enactment.

Section 5. **Individual remedies**. [§ 181.944] Allows a person injured by a violation of the ESS provisions to bring a civil action to recover damages. This section is effective January 1, 2024.

## **ARTICLE 14** Earned Sick and Safe Time Appropriations

Section 1. **Earned sick and safe time appropriations.** Makes the following general fund appropriations related to implementation of earned sick and safe time:

- (a) \$1.445 million in FY 2024 and \$2.209 million in FY 2025 to the commissioner of labor and industry for enforcement and other duties related to earned sick and safe time. Sets the base funding amounts for FY 2026 and beyond.
- (b) \$300,000 in FY 2024 and 2025 to the commissioner of labor and industry for grants to community organizations.

## ARTICLE 15 DEED Policy

Section 1. **Office of Child Care Community Partnerships.** Creates the Office of Child Care Community Partnerships within DEED which will serve to coordinate the various child care initiatives among agencies and other entities.

Section 2. **Office of New Americans.** Establishes the Office of New Americans within DEED and creates an interdepartmental coordination council on immigrant and refugee affairs to advise the Office.

Section 3. Getting to work grant program. Codifies the getting to work grant program which provides grants to nonprofit organizations to operate programs that provide, repair, or maintain motor vehicles to assist individuals to obtain or maintain employment.

Section 4. **Meetings.** Allows the Energy Transition Advisory Committee to meet quarterly instead of monthly and then after the energy transition plan is submitted to establish a schedule to meet as needed.

Section 5. **Expiration.** Provides an expiration date of June 30, 2027, for the Energy Transition Advisory Committee.

Section 6. **Community energy transition grant program definitions.** Modifies the definition of "eligible community" to include a community that hosts an electric generating plant whose current operating license will expire within 15 years of the effective date of the section.

Section 7. **Community energy transition grant program awards.** Eliminates the requirement that community energy transition grants be awarded through a competitive process. Clarifies that an eligible community may receive a grant award of up to \$1,000,000 per calendar year. Allows grant applications to be accepted on an ongoing or rolling basis.

Section 8. **Community energy transition grant program expenditures.** Allows the commissioner to transfer administrative funds to the Environmental Quality Board to assist communities with regulatory coordination and technical assistance. Clarifies uses of grant funds by communities.

Section 9. **Small business assistance partnerships program.** Establishes a small business assistance partnerships program to provide grants to local and regional community-based organizations for business development and technical assistance services.

Section 10. **Minnesota Expanding Opportunity Fund Program.** Establishes the Minnesota expanding opportunity fund program to capitalize Minnesota nonprofit corporations to increase lending activities with small businesses.

Sections 11 to 14. **Job creation fund.** Modify certain employee retention and spending requirements for the job creation fund program and creates a 4<sup>th</sup> tier for awards.

Section 15. Launch Minnesota. Codifies the Launch Minnesota program, which has operated as an uncodified program since 2019 and provides entrepreneurs and emerging technology-based companies business development assistance and financial assistance.

Section 16. **Emerging developer fund program.** Establishes the emerging developer fund program to make loans to emerging developers for eligible projects statewide for economic development and the creation and retention of jobs in Minnesota.

Sections 17 to 20. **Youthbuild program.** Modify the Youthbuild program to be consistent with the federal program, including a reference to the Workforce Innovation and Opportunity Act.

Section 21. **Targeted populations workforce grants.** Establishes several grant targeted grant programs within DEED including job and entrepreneurial skills training grants, diversity and inclusion training for small employers, and capacity building grants.

Section 22 to 23. **Minnesota Youth Program.** Make changes to the Minnesota Youth Program by increasing the eligible applicant age range to 14 to 24 instead of ages 14 - 21.

Section 24. **Youth-at-work program.** Making a reference change within the definition of "economically disadvantaged" to cite the Workforce Innovation and Opportunity Act within the Youth-at-work grant program.

Sections 25 to 28. **Destination Medical Center.** Modify provisions within the Destination Medical Center Initiative statutes regarding state transit aid, by broadening the definition of "transit costs" to include buses, and including construction costs and similar costs in the definition of "expenditures."

Section 29. **Northgate extension.** Extends reporting requirements in the 2021 session law for Northgate Development, LLC for an additional year (to accompany the one year extension of the appropriation).

Section 30. **Forgivable loan program for remote recreational businesses.** Modifies provisions and applicable dates in the 2021 session law for the forgivable loan program for remote recreational businesses.

Section 31. **Minnesota employer reasonable accommodation fund.** Requires the commissioner of DEED to establish a reasonable accommodation reimbursement pilot grant program to reimburse eligible employers for expenses related to providing reasonable accommodations for individuals with a disability who are either applicants or employees of the employer.

Section 32. **Canadian border counties economic relief program.** Established the Canadian border counties economic relief program to assist businesses adversely affected by the 2021 closure of the Boundary Waters Canoe Area Wilderness or the closures of the Canadian border.

Section 33. **Community wealth-building grant program.** Creates the community wealth-building grant program to make low-interest loans to community businesses.

## ARTICLE 16 Explore Minnesota

Section 1. **Explore Minnesota.** Clarifies that "Explore Minnesota" is the umbrella office to oversee the Explore Minnesota Tourism and Explore Minnesota for Businesses divisions.

Section 2. **Explore Minnesota Tourism.** Provides the purpose of the Explore Minnesota Tourism division.

Section 3. **Explore Minnesota for Business.** Provides the purpose of the Explore Minnesota for Business division.

Section 4. **Definitions.** Clarifies that the director of Explore Minnesota is the executive director and makes other technical changes.

Section 5. Mission. Expands the mission of Explore Minnesota.

Section 6. **Organization.** Provides additional organizational duties for the executive director of Explore Minnesota.

Section 7. **Explore Minnesota Councils.** Specifies that the director be advised by the Explore Minnesota Tourism Council and the Explore Minnesota for Business Council. Provides appointments, duties, and other organizational matters for the councils.

Section 8. **Explore Minnesota for Business Council.** Provides membership makeup and other organizational matters for the Explore Minnesota for Business Council.

Section 9. **Duties of Director.** Provides additional duties for the executive director of Explore Minnesota including promotion of Minnesota travel, overall livability, workforce and economic opportunity.

Section 10. **Promotional expenses.** Clarifies that the director may expend money for promotional expenses related to overall livability, workforce and economic opportunity.

## ARTICLE 17 Capitol Area

Section 1. **Capitol Area Community Vitality Task Force; appropriation.** Establishes a Capitol Area Community Vitality Task Force. The purpose of the task force is to make recommendations, by February 1, 2024, to the Capitol Area Architectural and Planning (CAAP) Board on the administration, program plan, and oversight of the newly established Capitol Area community vitality account. Provides an appropriation to support the work of the task force.

Section 2. **Capitol Area community vitality account.** Establishes a Capitol Area community vitality account in the special revenue fund. Appropriates money in the fund to the commissioner of administration to improve the livability, economic health, and safety of communities within the Capitol Area. Transfers \$5,000,000 from the general fund to this account in fiscal year 2024.

#### ARTICLE 18 PROMISE Act

Section 1. **Title.** Provides a title for Article 18 as the "Providing Resources, Opportunity, and Maximizing Investments in Striving Entrepreneurs (PROMISE) Act."

Section 2. **PROMISE grant program.** Creates the PROMISE grant program to provide grants through partner organizations of between \$10,000 and \$50,000 per grant based on revenue to businesses in the areas identified.

Section 3. **PROMISE loan program.** Creates the PROMISE loan program to provide loans through partner organizations of up to \$1,000,000 per loan to eligible recipients in the areas identified.

#### **ARTICLE 19** Labor Appropriations

Provides appropriations for the Department of Labor and Industry, Workers' Compensation Court of Appeals, and the Bureau of Mediation Services. See spreadsheet for details.

## **ARTICLE 20** Jobs and Economic Development Appropriations

Provides appropriations for the Department of Employment and Economic Development and Explore Minnesota. See spreadsheet for details.

## ARTICLE 21 Minnesota Forward

Section 1. **Minnesota forward fund.** Establishes the Minnesota forward fund for the purpose of increasing state competitiveness to facilitate private investment through offering incentives to compete with other states for business retention, attract new industries, and meet matching requirements of federal funding, among other abilities of the fund.

Section 2. **Minnesota climate innovation finance authority.** Creates the Minnesota Climate Innovation Finance Authority for the purpose of accelerating the deployment of clean energy, greenhouse gas emissions reduction, and other qualified projects through grants, loans, credit enhancements, and other financing mechanisms. Provides powers and duties of the authority, including annual reporting requirements. Requires submission of a strategic plan and investment strategy by the authority. Provides for an authority board of directors. Creates a climate innovation authority account.

Sections 3 to 5. **State Competitiveness Fund.** Amends 2023 session law creating the Minnesota State Competitiveness Fund.

Sections 6 and 7. **Transfers and appropriations.** Make transfers and appropriations related to the Minnesota forward fund and Minnesota climate innovation finance authority. See spreadsheet for details.