

## State of Minnesota

**HOUSE OF REPRESENTATIVES**

EIGHTY-EIGHTH SESSION

**H. F. No. 729**

02/20/2013 Authored by Mahoney  
The bill was read for the first time and referred to the Committee on Rules and Legislative Administration

02/28/2013 Adoption of Report: Pass and re-referred to the Committee on Jobs and Economic Development Finance and Policy

04/08/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means

04/10/2013 Adoption of Report: Pass as Amended and Read Second Time

04/15/2013 Calendar for the Day, Amended  
Read Third Time as Amended  
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to state government; appropriating money for jobs and economic

1.3 development, commerce and consumer protection, and housing; making

1.4 changes to labor and industry provisions; modifying and providing for

1.5 certain fees; modifying employment, economic development, and workforce

1.6 development provisions; making unemployment insurance changes; reducing

1.7 the unemployment insurance tax; establishing notice for contracts for deed

1.8 involving residential property; providing remedies; establishing the Office of

1.9 Broadband Development in the Department of Commerce and assigning it duties;

1.10 requiring the Department of Transportation to post a database on its Web site;

1.11 appropriating money to various boards, departments, and the Housing Finance

1.12 Agency; requiring reports; amending Minnesota Statutes 2012, sections 60A.14,

1.13 subdivision 1; 116J.70, subdivision 2a; 116J.8731, subdivisions 2, 3, 8, 9;

1.14 116L.17, subdivision 4, by adding a subdivision; 116U.26; 136F.37; 154.001, by

1.15 adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2;

1.16 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision

1.17 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; 155A.23, subdivisions 3, 8, 11;

1.18 155A.25, subdivisions 1a, 4; 155A.27, subdivisions 4, 10; 155A.29, subdivision

1.19 2; 155A.30, by adding a subdivision; 177.27, subdivision 4; 237.012, subdivision

1.20 3; 239.101, subdivision 3; 245.4712, subdivision 1; 268.051, subdivision 5;

1.21 268.07, subdivision 3b; 268.125, subdivisions 1, 3, 4, 5; 268.136, subdivisions

1.22 1, 2, 3, 4, 5, by adding a subdivision; 268.199; 268.23; 268A.13; 268A.14,

1.23 subdivision 1; 326.02, subdivision 5; 326A.04, subdivisions 2, 3, 5, 7; 326A.10;

1.24 326B.081, subdivision 3; 326B.082, subdivision 11; 326B.093, subdivision 4;

1.25 326B.101; 326B.103, subdivision 11; 326B.121, subdivision 1; 326B.163, by

1.26 adding subdivisions; 326B.184, subdivisions 1, 2, by adding a subdivision;

1.27 326B.187; 326B.31, by adding a subdivision; 326B.33, subdivisions 19, 21;

1.28 326B.36, subdivision 7; 326B.37, by adding a subdivision; 326B.43, subdivision

1.29 2; 326B.49, subdivisions 2, 3; 326B.89, subdivision 1; 327B.04, subdivision

1.30 4; 341.21, subdivision 3a; 341.221; 341.27; 341.29; 341.30, subdivision 4;

1.31 341.32, subdivision 2; 341.321; 507.235, subdivision 2; 559.211, subdivision

1.32 2; Laws 2011, First Special Session chapter 2, article 2, section 3, subdivision

1.33 4; Laws 2012, chapter 201, article 1, section 3; proposing coding for new law

1.34 in Minnesota Statutes, chapters 116J; 116L; 154; 155A; 161; 179; 237; 268;

1.35 326B; 383D; 559; proposing coding for new law as Minnesota Statutes, chapter

1.36 80G; repealing Minnesota Statutes 2012, sections 116W.01; 116W.02; 116W.03;

1.37 116W.035; 116W.04; 116W.05; 116W.06; 116W.20; 116W.21; 116W.23;

1.38 116W.24; 116W.25; 116W.26; 116W.27; 116W.28; 116W.29; 116W.30; 116W.31;

1.39 116W.32; 116W.33; 116W.34; 155A.25, subdivision 1; 326A.03, subdivisions

2.1 2, 5, 8; 326B.31, subdivisions 18, 19, 22; 326B.978, subdivision 4; 507.235,  
 2.2 subdivision 4; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700;  
 2.3 1307.0032; 3800.3520, subpart 5, items C, D; 3800.3602, subpart 2, item B.

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

2.5 **ARTICLE 1**

2.6 **APPROPRIATIONS**

2.7 Section 1. **JOBS AND ECONOMIC DEVELOPMENT APPROPRIATIONS.**

2.8 The amounts shown in this section summarize direct appropriations, by fund, made  
 2.9 in this article.

	<b><u>2014</u></b>	<b><u>2015</u></b>	<b><u>Total</u></b>
2.10 <u>General</u>	\$ 81,899,000	\$ 75,301,000	\$ 157,200,000
2.11 <u>Workforce Development</u>	17,476,000	17,476,000	34,952,000
2.12 <u>Remediation</u>	700,000	700,000	1,400,000
2.13 <u>Workers' Compensation</u>	22,784,000	22,574,000	45,358,000
2.14 <b><u>Total</u></b>	<b><u>\$ 122,859,000</u></b>	<b><u>\$ 116,051,000</u></b>	<b><u>\$ 238,910,000</u></b>

2.16 Sec. 2. **JOBS AND ECONOMIC DEVELOPMENT.**

2.17 The sums shown in the columns marked "Appropriations" are appropriated to the  
 2.18 agencies and for the purposes specified in this article. The appropriations are from the  
 2.19 general fund, or another named fund, and are available for the fiscal years indicated  
 2.20 for each purpose. The figures "2014" and "2015" used in this article mean that the  
 2.21 appropriations listed under them are available for the fiscal year ending June 30, 2014, or  
 2.22 June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal  
 2.23 year 2015. "The biennium" is fiscal years 2014 and 2015.

2.24 **APPROPRIATIONS**  
 2.25 **Available for the Year**  
 2.26 **Ending June 30**  
 2.27 **2014**                      **2015**

2.28 Sec. 3. **DEPARTMENT OF EMPLOYMENT**  
 2.29 **AND ECONOMIC DEVELOPMENT**

2.30 Subdivision 1. **Total Appropriation**                      **\$ 91,788,000**                      **\$ 86,255,000**

2.31 Appropriations by Fund

	<b><u>2014</u></b>	<b><u>2015</u></b>
2.32 <u>General</u>	74,641,000	69,108,000
2.33 <u>Remediation</u>	700,000	700,000
2.34 <u>Workforce</u>		
2.35 <u>Development</u>	16,447,000	16,447,000

3.1 The amounts that may be spent for each  
 3.2 purpose are specified in the following  
 3.3 subdivisions.

3.4 Subd. 2. **Business and Community**  
 3.5 **Development**

40,590,000

35,610,000

3.6 Appropriations by Fund

3.7 General 39,890,000 34,910,000

3.8 Remediation 700,000 700,000

3.9 (a)(1) \$10,000,000 each year is for  
 3.10 the Minnesota investment fund under  
 3.11 Minnesota Statutes, section 116J.8731.  
 3.12 This appropriation is available until spent.  
 3.13 The base funding for this appropriation is  
 3.14 \$13,750,000 each year in the fiscal year  
 3.15 2016-2017 biennium.

3.16 (2) Of the amount available under clause  
 3.17 (1), up to \$3,000,000 in fiscal year 2014  
 3.18 is for a loan to facilitate initial investment  
 3.19 in the purchase and operation of a  
 3.20 biopharmaceutical manufacturing facility.  
 3.21 This loan is not subject to the loan limitations  
 3.22 under Minnesota Statutes, section 116J.8731,  
 3.23 and shall be forgiven by the commissioner  
 3.24 of employment and economic development  
 3.25 upon verification of meeting performance  
 3.26 goals. Purchases related to and for the  
 3.27 purposes of this loan award must be made  
 3.28 between January 1, 2013, and June 30, 2015.

3.29 The amount under this clause is available  
 3.30 until expended.

3.31 (3) Of the amount available under clause (1),  
 3.32 up to \$2,000,000 is available for subsequent  
 3.33 investment in the biopharmaceutical facility  
 3.34 project in clause (2). The amount under this  
 3.35 clause is available until expended. Loan  
 3.36 thresholds under clause (2) must be achieved

4.1 and maintained to receive funding. Loans  
4.2 are not subject to the loan limitations under  
4.3 Minnesota Statutes, section 116J.8731, and  
4.4 shall be forgiven by the commissioner of  
4.5 employment and economic development  
4.6 upon verification of meeting performance  
4.7 goals. Purchases related to and for the  
4.8 purposes of loan awards must be made during  
4.9 the biennium the loan was received.

4.10 (4) Notwithstanding any law to the contrary,  
4.11 the biopharmaceutical manufacturing facility  
4.12 in this paragraph shall be deemed eligible  
4.13 for the Minnesota job creation fund under  
4.14 Minnesota Statutes, section 116J.8748.

4.15 (5) For purposes of clauses (1) to (4),  
4.16 "biopharmaceutical" and "biologics" are  
4.17 interchangeable and mean medical drugs  
4.18 or medicinal preparations produced using  
4.19 technology that uses biological systems,  
4.20 living organisms, or derivatives of living  
4.21 organisms, to make or modify products or  
4.22 processes for specific use. The medical drugs  
4.23 or medicinal preparations include but are not  
4.24 limited to proteins, antibodies, nucleic acids,  
4.25 and vaccines.

4.26 (b) \$6,000,000 the first year and \$12,500,000  
4.27 the second year are for the Minnesota job  
4.28 creation fund under Minnesota Statutes,  
4.29 section 116J.8748. Of this amount, the  
4.30 commissioner of employment and economic  
4.31 development may use up to three percent for  
4.32 administrative expenses. This appropriation  
4.33 is available until spent.

4.34 (c) \$1,272,000 the first year and \$1,272,000  
4.35 the second year are from the general fund for

5.1 contaminated site cleanup and development  
5.2 grants under Minnesota Statutes, sections  
5.3 116J.551 to 116J.558.

5.4 (d) \$700,000 the first year and \$700,000 the  
5.5 second year are from the remediation fund for  
5.6 contaminated site cleanup and development  
5.7 grants under Minnesota Statutes, sections  
5.8 116J.551 to 116J.558. This appropriation is  
5.9 available until expended.

5.10 (e) \$1,425,000 the first year and \$1,425,000  
5.11 the second year are from the general fund for  
5.12 the business development competitive grant  
5.13 program. Of this amount, up to five percent  
5.14 is for administration and monitoring of the  
5.15 business development competitive grant  
5.16 program. All grant awards shall be for two  
5.17 consecutive years. Grants shall be awarded  
5.18 in the first year.

5.19 (f) \$5,320,000 each year is from the general  
5.20 fund for the Minnesota job skills partnership  
5.21 program under Minnesota Statutes, sections  
5.22 116L.01 to 116L.17. If the appropriation for  
5.23 either year is insufficient, the appropriation  
5.24 for the other year is available. This  
5.25 appropriation is available until spent.

5.26 The general fund base for this program  
5.27 is \$4,195,000 each year in the fiscal year  
5.28 2016-2017 biennium.

5.29 (g) \$9,580,000 the first year is from the  
5.30 general fund for grants under Minnesota  
5.31 Statutes, section 116J.571, for the  
5.32 redevelopment program. This is a onetime  
5.33 appropriation and is available until spent.

5.34 (h) \$1,900,000 the first year is from the  
5.35 general fund for a onetime grant to the

6.1 Minnesota Film and TV Board for the film  
 6.2 production jobs program under Minnesota  
 6.3 Statutes, section 116U.26. This appropriation  
 6.4 is available until expended.

6.5 (i) \$375,000 each year is from the general  
 6.6 fund for a grant to Enterprise Minnesota, Inc.,  
 6.7 for the small business growth acceleration  
 6.8 program under Minnesota Statutes, section  
 6.9 116O.115. This is a onetime appropriation.

6.10 (j) \$200,000 each year is from the general  
 6.11 fund for a grant to develop and implement  
 6.12 a southern and southwestern Minnesota  
 6.13 initiative foundation collaborative pilot  
 6.14 project. Funds available under this paragraph  
 6.15 must be used to support and develop  
 6.16 entrepreneurs in diverse populations in  
 6.17 southern and southwestern Minnesota. This  
 6.18 is a onetime appropriation and is available  
 6.19 until expended.

6.20 (k) \$100,000 each year is from the general  
 6.21 fund for the Center for Rural Policy  
 6.22 and Development. This is a onetime  
 6.23 appropriation.

6.24 **Subd. 3. Workforce Development** 14,726,000 14,108,000

	<u>Appropriations by Fund</u>		
6.25			
6.26	<u>General</u>	<u>5,134,000</u>	<u>4,516,000</u>
6.27	<u>Workforce</u>		
6.28	<u>Development</u>	<u>9,592,000</u>	<u>9,592,000</u>

6.29 (a) \$1,039,000 each year from the general  
 6.30 fund and \$2,244,000 each year from the  
 6.31 workforce development fund are for the adult  
 6.32 workforce development competitive grant  
 6.33 program. Of this amount, up to five percent  
 6.34 is for administration and monitoring of the  
 6.35 adult workforce development competitive

7.1 grant program. All grant awards shall be  
7.2 for two consecutive years. Grants shall be  
7.3 awarded in the first year.

7.4 (b) \$3,500,000 each year is from the  
7.5 workforce development fund for the  
7.6 Minnesota youth program under Minnesota  
7.7 Statutes, sections 116L.56 and 116L.561.

7.8 (c) \$1,000,000 each year is from the  
7.9 workforce development fund for the  
7.10 youthbuild program under Minnesota  
7.11 Statutes, sections 116L.361 to 116L.366.

7.12 (d) \$570,000 each year is from the general  
7.13 fund and \$2,848,000 each year is from the  
7.14 workforce development fund for the youth  
7.15 workforce development competitive grant  
7.16 program. Of this amount, up to five percent  
7.17 is for administration and monitoring of the  
7.18 youth workforce development competitive  
7.19 grant program. All grant awards shall be  
7.20 for two consecutive years. Grants shall be  
7.21 awarded in the first year.

7.22 (e) \$2,500,000 each year is from the  
7.23 general fund for a grant to the Minnesota  
7.24 FastTRAC program. Up to ten percent  
7.25 of this appropriation may be used to  
7.26 provide leadership, oversight, and technical  
7.27 assistance services. The base funding for this  
7.28 program shall be \$2,225,000 each year in the  
7.29 fiscal year 2016-2017 biennium.

7.30 (f) \$507,000 the first year and \$407,000 the  
7.31 second year are from the general fund for a  
7.32 grant to the Minnesota High Tech Association  
7.33 to support SciTechsperience, a program that  
7.34 supports science, technology, engineering,  
7.35 and math (STEM) internship opportunities

8.1 for two- and four-year college and university  
8.2 students in their field of study. The internship  
8.3 opportunities must match students with  
8.4 paid internships within STEM disciplines  
8.5 at small, for-profit companies located in the  
8.6 seven-county metropolitan area, with fewer  
8.7 than 150 total employees, or at small or  
8.8 medium, for-profit companies located outside  
8.9 of the seven-county metropolitan area, with  
8.10 fewer than 250 total employees. At least 125  
8.11 students must be matched in the first year  
8.12 and at least 175 students must be matched in  
8.13 the second year. Selected hiring companies  
8.14 shall receive from the grant 50 percent of the  
8.15 wages paid to the intern, capped at \$2,500  
8.16 per intern. Of this appropriation, at least 50  
8.17 percent of the student interns must be women  
8.18 or other underserved populations. This is a  
8.19 onetime appropriation and is available until  
8.20 expended.

8.21 (g) \$450,000 the first year is from the general  
8.22 fund for the foreign-trained health care  
8.23 professionals grant program modeled after  
8.24 the pilot program conducted under Laws  
8.25 2006, chapter 282, article 11, section 2,  
8.26 subdivision 12, to encourage state licensure  
8.27 of foreign-trained health care professionals,  
8.28 including: physicians, with preference given  
8.29 to primary care physicians who commit  
8.30 to practicing for at least five years after  
8.31 licensure in underserved areas of the state;  
8.32 nurses; dentists; pharmacists; mental health  
8.33 professionals; and other allied health care  
8.34 professionals. The commissioner must  
8.35 collaborate with health-related licensing  
8.36 boards and Minnesota workforce centers to



9.1 award grants to foreign-trained health care  
9.2 professionals sufficient to cover the actual  
9.3 costs of taking a course to prepare health  
9.4 care professionals for required licensing  
9.5 examinations and the fee for the state  
9.6 licensing examinations. When awarding  
9.7 grants, the commissioner must consider the  
9.8 following factors:

9.9 (1) whether the recipient's training involves  
9.10 a medical specialty that is in high demand in  
9.11 one or more communities in the state;

9.12 (2) whether the recipient commits to  
9.13 practicing in a designated rural area or an  
9.14 underserved urban community, as defined in  
9.15 Minnesota Statutes, section 144.1501;

9.16 (3) whether the recipient's language skills  
9.17 provide an opportunity for needed health care  
9.18 access for underserved Minnesotans; and

9.19 (4) any additional criteria established  
9.20 by the commissioner. This is a onetime  
9.21 appropriation and is available until expended.

9.22 (h) \$68,000 the first year from the general  
9.23 fund is for a grant to Olmsted County for  
9.24 employment supports and independent  
9.25 living services to county residents diagnosed  
9.26 with high-functioning autism, Asperger's  
9.27 syndrome, nonverbal learning disorders,  
9.28 and pervasive development disorder, not  
9.29 otherwise specified, and for education,  
9.30 outreach, and support services to area  
9.31 employers to encourage the hiring and  
9.32 promotion of workers with high-functioning  
9.33 autism, Asperger's syndrome, nonverbal  
9.34 learning disorders, and pervasive  
9.35 development disorder, not otherwise

10.1 specified. This is a onetime appropriation  
 10.2 and is available until expended.

10.3 Subd. 4. **General Support Services** 1,509,000 1,604,000

10.4 (a) \$150,000 each year is from the general  
 10.5 fund for the cost-of-living study required  
 10.6 under Minnesota Statutes, section 116J.013.

10.7 (b) \$250,000 each year is from the general  
 10.8 fund for the publication, dissemination,  
 10.9 and use of labor market information under  
 10.10 Minnesota Statutes, section 116J.4011.

10.11 Subd. 5. **Minnesota Trade Office** 2,322,000 2,292,000

10.12 (a) \$330,000 in fiscal year 2014 and \$300,000  
 10.13 in fiscal year 2015 are for the STEP grants  
 10.14 in Minnesota Statutes, section 116J.979. Of  
 10.15 the fiscal year 2014 appropriation, \$30,000  
 10.16 is for establishing trade and export relations  
 10.17 between the state of Minnesota and east  
 10.18 African nations.

10.19 (b) \$180,000 in fiscal year 2014 and  
 10.20 \$180,000 in fiscal year 2015 are for the Invest  
 10.21 Minnesota marketing initiative in Minnesota  
 10.22 Statutes, section 116J.9801. Notwithstanding  
 10.23 any other law, this provision does not expire.

10.24 (c) \$270,000 each year is from the general  
 10.25 fund for the expansion of Minnesota Trade  
 10.26 Offices under Minnesota Statutes, section  
 10.27 116J.978.

10.28 (d) \$50,000 each year is from the general  
 10.29 fund for the trade policy advisory group  
 10.30 under Minnesota Statutes, section 116J.9661.

10.31 (e) The commissioner of employment and  
 10.32 economic development, in consultation  
 10.33 with the commissioner of agriculture, shall

11.1 identify and increase export opportunities for  
 11.2 Minnesota agricultural products.

11.3 **Subd. 6. Vocational Rehabilitation** 26,716,000 26,716,000

11.4	<u>Appropriations by Fund</u>		
11.5	<u>General</u>	<u>19,861,000</u>	<u>19,861,000</u>
11.6	<u>Workforce</u>		
11.7	<u>Development</u>	<u>6,855,000</u>	<u>6,855,000</u>

11.8 (a) \$10,800,000 each year is from the general  
 11.9 fund for the state's vocational rehabilitation  
 11.10 program under Minnesota Statutes, chapter  
 11.11 268A.

11.12 (b) \$2,261,000 each year is from the general  
 11.13 fund for grants to centers for independent  
 11.14 living under Minnesota Statutes, section  
 11.15 268A.11.

11.16 (c) \$5,245,000 each year from the general  
 11.17 fund and \$6,830,000 each year from the  
 11.18 workforce development fund are for extended  
 11.19 employment services for persons with severe  
 11.20 disabilities under Minnesota Statutes, section  
 11.21 268A.15.

11.22 (d) \$1,555,000 each year is from the general  
 11.23 fund for grants to programs that provide  
 11.24 employment support services to persons with  
 11.25 mental illness under Minnesota Statutes,  
 11.26 sections 268A.13 and 268A.14.

11.27 (e) \$25,000 each year is from the workforce  
 11.28 development fund for grants to programs  
 11.29 that provide employment support services to  
 11.30 persons with mental illness under Minnesota  
 11.31 Statutes, sections 268A.13 and 268A.14.

11.32 At least 50 percent of the funding must be  
 11.33 used for projects that use the evidence-based  
 11.34 practice of individual placement and  
 11.35 supports. Grants may be used for special

12.1	<u>projects for young people with mental</u>		
12.2	<u>illness transitioning from school to work or</u>		
12.3	<u>experiencing a first psychotic episode.</u>		
12.4	<b><u>Subd. 7. Services for the Blind</u></b>	<u>5,925,000</u>	<u>5,925,000</u>
12.5	<b><u>Subd. 8. Competitive grant limitations.</u></b>		
12.6	<u>An organization that receives a direct</u>		
12.7	<u>appropriation under this section is not eligible</u>		
12.8	<u>to participate in competitive grant programs</u>		
12.9	<u>under this section during the fiscal years in</u>		
12.10	<u>which the direct appropriations are received.</u>		
12.11	<b><u>Sec. 4. DEPARTMENT OF LABOR AND</u></b>		
12.12	<b><u>INDUSTRY</u></b>		
12.13	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ 23,859,000</u></b>	<b><u>\$ 22,948,000</u></b>
12.14	<u>Appropriations by Fund</u>		
12.15	<u>2014</u>	<u>2015</u>	
12.16	<u>General</u>	<u>1,959,000</u>	<u>1,048,000</u>
12.17	<u>Workers'</u>		
12.18	<u>Compensation</u>	<u>20,871,000</u>	<u>20,871,000</u>
12.19	<u>Workforce</u>		
12.20	<u>Development</u>	<u>1,029,000</u>	<u>1,029,000</u>
12.21	<u>The amounts that may be spent for each</u>		
12.22	<u>purpose are specified in the following</u>		
12.23	<u>subdivisions.</u>		
12.24	<b><u>Subd. 2. Workers' Compensation</u></b>	<u>10,678,000</u>	<u>10,678,000</u>
12.25	<u>This appropriation is from the workers'</u>		
12.26	<u>compensation fund.</u>		
12.27	<u>\$200,000 each year is for grants to the</u>		
12.28	<u>Vinland Center for rehabilitation services.</u>		
12.29	<u>Grants shall be distributed as the department</u>		
12.30	<u>refers injured workers to the Vinland Center</u>		
12.31	<u>for rehabilitation services.</u>		
12.32	<b><u>Subd. 3. Labor Standards and Apprenticeship</u></b>	<u>2,988,000</u>	<u>2,077,000</u>

13.1	<u>Appropriations by Fund</u>		
13.2	<u>General</u>	<u>1,959,000</u>	<u>1,048,000</u>
13.3	<u>Workforce</u>		
13.4	<u>Development</u>	<u>1,029,000</u>	<u>1,029,000</u>

- 13.5 (a) \$816,000 each year is from the  
 13.6 general fund for the labor standards and  
 13.7 apprenticeship program.
- 13.8 (b) \$150,000 each year is from the general  
 13.9 fund for a child labor initiative for expanding  
 13.10 education and outreach to high schools and  
 13.11 targeted industries to ensure minors entering  
 13.12 the workforce are safe.
- 13.13 (c) \$879,000 each year is appropriated from  
 13.14 the workforce development fund for the  
 13.15 apprenticeship program under Minnesota  
 13.16 Statutes, chapter 178, and includes \$100,000  
 13.17 for labor education and advancement  
 13.18 program grants and to expand and promote  
 13.19 registered apprenticeship training in  
 13.20 nonconstruction trade programs.
- 13.21 (d) \$150,000 each year is appropriated  
 13.22 from the workforce development fund for  
 13.23 prevailing wage enforcement.
- 13.24 (e) \$70,000 in the second year is from  
 13.25 the general fund for implementing and  
 13.26 administering a minimum wage inflation  
 13.27 adjustment. This appropriation is available  
 13.28 only if a law is enacted in 2013 that includes  
 13.29 an automatic inflation adjustment to the state  
 13.30 minimum wage. The availability of this  
 13.31 appropriation is effective in the same fiscal  
 13.32 year that the inflation adjustment is first  
 13.33 effective.
- 13.34 (f) \$987,000 in fiscal year 2014 is  
 13.35 appropriated from the general fund to the

14.1 commissioner of labor and industry for  
 14.2 the purposes of the job-based education  
 14.3 and apprenticeship program (JEAP) for  
 14.4 manufacturing industries under article 2.  
 14.5 This appropriation is available until spent.  
 14.6 Of this appropriation:  
 14.7 (1) \$330,000 is for the commissioner of labor  
 14.8 and industry to implement JEAP; and  
 14.9 (2) \$657,000 is for transfer to the Board of  
 14.10 Trustees of the Minnesota State Colleges  
 14.11 and Universities for grants to administer the  
 14.12 JEAP related instruction component, to be  
 14.13 dispersed as follows:  
 14.14 (i) \$187,000 is for Alexandria Technical and  
 14.15 Community College's Customized Training  
 14.16 Center;  
 14.17 (ii) \$380,000 is for Century College;  
 14.18 (iii) \$45,000 is for Hennepin Technical  
 14.19 College; and  
 14.20 (iv) \$45,000 is for Central Lakes College.

14.21	<u>Subd. 4. <b>Workplace Safety</b></u>	<u>4,154,000</u>	<u>4,154,000</u>
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14.22 This appropriation is from the workers'  
 14.23 compensation fund.

14.24	<u>Subd. 5. <b>General Support</b></u>	<u>6,039,000</u>	<u>6,039,000</u>
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14.25 This appropriation is from the workers'  
 14.26 compensation fund.

14.27	<u>Sec. 5. <b>BUREAU OF MEDIATION</b></u>		
14.28	<u><b>SERVICES</b></u>	<u>\$ 2,140,000</u>	<u>\$ 2,056,000</u>

14.29 (a) \$68,000 each year is for grants to area  
 14.30 labor management committees. Grants may  
 14.31 be awarded for a 12-month period beginning  
 14.32 July 1 each year. Any unencumbered balance

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

15.3 (b) \$100,000 in fiscal year 2014 is  
 15.4 appropriated from the general fund to the  
 15.5 Bureau of Mediation Services for transfer  
 15.6 to the Office of Enterprise Technology to  
 15.7 develop a new business management system  
 15.8 for case and document management. This is  
 15.9 a onetime appropriation and is available for  
 15.10 spending until June 30, 2015. Any ongoing  
 15.11 information technology support or costs for  
 15.12 this application will be incorporated into the  
 15.13 service level agreement and will be paid to  
 15.14 the Office of Enterprise Technology by the  
 15.15 Bureau of Mediation Services under the rates  
 15.16 and mechanism specified in that agreement.

15.17 (c) \$256,000 each year is from the general  
 15.18 fund for the Office of Collaboration and  
 15.19 Dispute Resolution under Minnesota  
 15.20 Statutes, section 179.90. Of this amount,  
 15.21 \$160,000 each year is for grants under  
 15.22 Minnesota Statutes, section 179.91, and  
 15.23 \$96,000 each year is for intergovernmental  
 15.24 and public policy collaboration and operation  
 15.25 of the office.

15.26 (d) The bureau's general fund base  
 15.27 is \$2,085,000 in fiscal year 2016 and  
 15.28 \$2,089,000 in fiscal year 2017.

15.29 **Sec. 6. BOARD OF ACCOUNTANCY**                     **\$             708,000 \$             624,000**

15.30 **Sec. 7. BOARD OF ARCHITECTURE,**  
 15.31 **ENGINEERING, LAND SURVEYING,**  
 15.32 **LANDSCAPE ARCHITECTURE,**  
 15.33 **GEOSCIENCE, AND INTERIOR DESIGN**                     **\$             778,000 \$             783,000**

15.34 **Sec. 8. BOARD OF COSMETOLOGIST**  
 15.35 **EXAMINERS**   **\$             1,354,000 \$             1,361,000**

16.1	Sec. 9. <b><u>BOARD OF BARBER EXAMINERS</u></b>	\$	<b><u>319,000</u></b>	\$	<b><u>321,000</u></b>
16.2	Sec. 10. <b><u>WORKERS' COMPENSATION</u></b>				
16.3	<b><u>COURT OF APPEALS</u></b>	\$	<b><u>1,913,000</u></b>	\$	<b><u>1,703,000</u></b>

16.4 This appropriation is from the workers'  
 16.5 compensation fund.

16.6 Of this appropriation, \$210,000 in the first  
 16.7 year is onetime and is available for spending  
 16.8 until June 30, 2015. \$110,000 in fiscal  
 16.9 year 2014 is for a onetime transfer to the  
 16.10 Office of Enterprise Technology to develop  
 16.11 a paperless case management system and  
 16.12 to ensure that services and hardware are  
 16.13 accessible and compatible with systems with  
 16.14 which the Workers' Compensation Court  
 16.15 of Appeals must interact. Any ongoing  
 16.16 information technology support or costs for  
 16.17 this application will be incorporated into the  
 16.18 service level agreement and will be paid to  
 16.19 the Office of Enterprise Technology by the  
 16.20 Workers' Compensation Court of Appeals  
 16.21 under the rates and mechanism specified in  
 16.22 that agreement.

16.23 Sec. 11. **CANCELLATION.**

16.24 Of the appropriation to the commissioner of the department of employment and  
 16.25 economic development for the Minnesota Investment Fund in Laws 2012, First Special  
 16.26 Session chapter 1, article 1, section 5, \$7,000,000 is canceled to the general fund.

## 16.27 **ARTICLE 2**

### 16.28 **LABOR AND INDUSTRY**

16.29 Section 1. Minnesota Statutes 2012, section 116J.70, subdivision 2a, is amended to read:

16.30 Subd. 2a. **License; exceptions.** "Business license" or "license" does not include  
 16.31 the following:



- 17.1 (1) any occupational license or registration issued by a licensing board listed in  
17.2 section 214.01 or any occupational registration issued by the commissioner of health  
17.3 pursuant to section 214.13;
- 17.4 (2) any license issued by a county, home rule charter city, statutory city, township, or  
17.5 other political subdivision;
- 17.6 (3) any license required to practice the following occupation regulated by the  
17.7 following sections:
- 17.8 (i) abstracters regulated pursuant to chapter 386;
  - 17.9 (ii) accountants regulated pursuant to chapter 326A;
  - 17.10 (iii) adjusters regulated pursuant to chapter 72B;
  - 17.11 (iv) architects regulated pursuant to chapter 326;
  - 17.12 (v) assessors regulated pursuant to chapter 270;
  - 17.13 (vi) athletic trainers regulated pursuant to chapter 148;
  - 17.14 (vii) attorneys regulated pursuant to chapter 481;
  - 17.15 (viii) auctioneers regulated pursuant to chapter 330;
  - 17.16 (ix) barbers and cosmetologists regulated pursuant to chapter 154;
  - 17.17 (x) boiler operators regulated pursuant to chapter ~~183~~ 326B;
  - 17.18 (xi) chiropractors regulated pursuant to chapter 148;
  - 17.19 (xii) collection agencies regulated pursuant to chapter 332;
  - 17.20 (xiii) dentists, registered dental assistants, and dental hygienists regulated pursuant  
17.21 to chapter 150A;
  - 17.22 (xiv) detectives regulated pursuant to chapter 326;
  - 17.23 (xv) electricians regulated pursuant to chapter ~~326~~ 326B;
  - 17.24 (xvi) mortuary science practitioners regulated pursuant to chapter 149A;
  - 17.25 (xvii) engineers regulated pursuant to chapter 326;
  - 17.26 (xviii) insurance brokers and salespersons regulated pursuant to chapter 60A;
  - 17.27 (xix) certified interior designers regulated pursuant to chapter 326;
  - 17.28 (xx) midwives regulated pursuant to chapter 147D;
  - 17.29 (xxi) nursing home administrators regulated pursuant to chapter 144A;
  - 17.30 (xxii) optometrists regulated pursuant to chapter 148;
  - 17.31 (xxiii) osteopathic physicians regulated pursuant to chapter 147;
  - 17.32 (xxiv) pharmacists regulated pursuant to chapter 151;
  - 17.33 (xxv) physical therapists regulated pursuant to chapter 148;
  - 17.34 (xxvi) physician assistants regulated pursuant to chapter 147A;
  - 17.35 (xxvii) physicians and surgeons regulated pursuant to chapter 147;
  - 17.36 (xxviii) plumbers regulated pursuant to chapter ~~326~~ 326B;

- 18.1 (xxix) podiatrists regulated pursuant to chapter 153;
- 18.2 (xxx) practical nurses regulated pursuant to chapter 148;
- 18.3 (xxxii) professional fund-raisers regulated pursuant to chapter 309;
- 18.4 (xxxii) psychologists regulated pursuant to chapter 148;
- 18.5 (xxxiii) real estate brokers, salespersons, and others regulated pursuant to chapters
- 18.6 82 and 83;
- 18.7 (xxxiv) registered nurses regulated pursuant to chapter 148;
- 18.8 (xxxv) securities brokers, dealers, agents, and investment advisers regulated
- 18.9 pursuant to chapter 80A;
- 18.10 (xxxvi) steamfitters regulated pursuant to chapter ~~326~~ 326B;
- 18.11 (xxxvii) teachers and supervisory and support personnel regulated pursuant to
- 18.12 chapter 125;
- 18.13 (xxxviii) veterinarians regulated pursuant to chapter 156;
- 18.14 (xxxix) water conditioning contractors and installers regulated pursuant to chapter
- 18.15 ~~326~~ 326B;
- 18.16 (xl) water well contractors regulated pursuant to chapter 103I;
- 18.17 (xli) water and waste treatment operators regulated pursuant to chapter 115;
- 18.18 (xlii) motor carriers regulated pursuant to chapter 221;
- 18.19 (xliii) professional firms regulated under chapter 319B;
- 18.20 (xliv) real estate appraisers regulated pursuant to chapter 82B;
- 18.21 (xlv) residential building contractors, residential remodelers, residential roofers,
- 18.22 manufactured home installers, and specialty contractors regulated pursuant to chapter
- 18.23 ~~326~~ 326B;
- 18.24 (xlvi) licensed professional counselors regulated pursuant to chapter 148B;
- 18.25 (4) any driver's license required pursuant to chapter 171;
- 18.26 (5) any aircraft license required pursuant to chapter 360;
- 18.27 (6) any watercraft license required pursuant to chapter 86B;
- 18.28 (7) any license, permit, registration, certification, or other approval pertaining to a
- 18.29 regulatory or management program related to the protection, conservation, or use of or
- 18.30 interference with the resources of land, air, or water, which is required to be obtained
- 18.31 from a state agency or instrumentality; and
- 18.32 (8) any pollution control rule or standard established by the Pollution Control
- 18.33 Agency or any health rule or standard established by the commissioner of health or any
- 18.34 licensing rule or standard established by the commissioner of human services.

18.35 Sec. 2. Minnesota Statutes 2012, section 177.27, subdivision 4, is amended to read:

19.1           Subd. 4. **Compliance orders.** The commissioner may issue an order requiring  
19.2 an employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031,  
19.3 181.032, 181.101, 181.11, 181.12, 181.13, 181.14, 181.145, 181.15, 181.275, subdivision  
19.4 2a, 181.722, and 181.79, or with any rule promulgated under section 177.28. The  
19.5 commissioner shall issue an order requiring an employer to comply with sections 177.41  
19.6 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation  
19.7 is repeated if at any time during the two years that preceded the date of violation, the  
19.8 commissioner issued an order to the employer for violation of sections 177.41 to 177.435  
19.9 and the order is final or the commissioner and the employer have entered into a settlement  
19.10 agreement that required the employer to pay back wages that were required by sections  
19.11 177.41 to 177.435. The department shall serve the order upon the employer or the  
19.12 employer's authorized representative in person or by certified mail at the employer's place  
19.13 of business. An employer who wishes to contest the order must file written notice of  
19.14 objection to the order with the commissioner within 15 calendar days after being served  
19.15 with the order. A contested case proceeding must then be held in accordance with sections  
19.16 14.57 to 14.69. If, within 15 calendar days after being served with the order, the employer  
19.17 fails to file a written notice of objection with the commissioner, the order becomes a  
19.18 final order of the commissioner.

19.19           Sec. 3. Minnesota Statutes 2012, section 326.02, subdivision 5, is amended to read:

19.20           Subd. 5. **Limitation.** The provisions of sections 326.02 to 326.15 shall not apply  
19.21 to the preparation of plans and specifications for the erection, enlargement, or alteration  
19.22 of any building or other structure by any person, for that person's exclusive occupancy  
19.23 or use, unless such occupancy or use involves the public health or safety or the health  
19.24 or safety of the employees of said person, or of the buildings listed in section 326.03,  
19.25 subdivision 2, nor to any detailed or shop plans required to be furnished by a contractor  
19.26 to a registered engineer, landscape architect, architect, or certified interior designer,  
19.27 nor to any standardized manufactured product, nor to any construction superintendent  
19.28 supervising the execution of work designed by an architect, landscape architect, engineer,  
19.29 or certified interior designer licensed or certified in accordance with section 326.03, nor  
19.30 to the planning for and supervision of the construction and installation of work by an  
19.31 electrical or elevator contractor or master plumber as defined in and licensed pursuant to  
19.32 chapter 326B, where such work is within the scope of such licensed activity and not  
19.33 within the practice of professional engineering, or architecture, or where the person does  
19.34 not claim to be a certified interior designer as defined in subdivision 2, 3, or 4b.

20.1 Sec. 4. Minnesota Statutes 2012, section 326B.081, subdivision 3, is amended to read:

20.2 Subd. 3. **Applicable law.** "Applicable law" means the provisions of sections  
20.3 181.723, 325E.66, 327.31 to 327.36, ~~and this chapter,~~ and chapter 341, and all rules,  
20.4 orders, stipulation agreements, settlements, compliance agreements, licenses, registrations,  
20.5 certificates, and permits adopted, issued, or enforced by the department under sections  
20.6 181.723, 325E.66, 327.31 to 327.36, ~~or this chapter,~~ or chapter 341.

20.7 Sec. 5. Minnesota Statutes 2012, section 326B.082, subdivision 11, is amended to read:

20.8 Subd. 11. **Licensing orders; grounds; reapplication.** (a) The commissioner may  
20.9 deny an application for a permit, license, registration, or certificate if the applicant does  
20.10 not meet or fails to maintain the minimum qualifications for holding the permit, license,  
20.11 registration, or certificate, or has any unresolved violations or unpaid fees or monetary  
20.12 penalties related to the activity for which the permit, license, registration, or certificate has  
20.13 been applied for or was issued.

20.14 (b) The commissioner may deny, suspend, limit, place conditions on, or revoke a  
20.15 person's permit, license, registration, or certificate, or censure the person holding the  
20.16 permit, license, registration, or certificate, if the commissioner finds that the person:

20.17 (1) committed one or more violations of the applicable law;

20.18 (2) submitted false or misleading information to the state in connection with  
20.19 activities for which the permit, license, registration, or certificate was issued, or in  
20.20 connection with the application for the permit, license, registration, or certificate;

20.21 (3) allowed the alteration or use of the person's own permit, license, registration,  
20.22 or certificate by another person;

20.23 (4) within the previous five years, was convicted of a crime in connection with  
20.24 activities for which the permit, license, registration, or certificate was issued;

20.25 (5) violated: (i) a final administrative order issued under subdivision 7 or, (ii) a final  
20.26 stop order issued under subdivision 10, or (iii) injunctive relief issued under subdivision 9,  
20.27 or (iv) a consent order or final order of the commissioner;

20.28 (6) failed to cooperate with a commissioner's request to give testimony, to produce  
20.29 documents, things, apparatus, devices, equipment, or materials, or to access property  
20.30 under subdivision 2;

20.31 (7) retaliated in any manner against any employee or person who is questioned by,  
20.32 cooperates with, or provides information to the commissioner or an employee or agent  
20.33 authorized by the commissioner who seeks access to property or things under subdivision 2;

20.34 (8) engaged in any fraudulent, deceptive, or dishonest act or practice; or

21.1 (9) performed work in connection with the permit, license, registration, or  
21.2 certificate or conducted the person's affairs in a manner that demonstrates incompetence,  
21.3 untrustworthiness, or financial irresponsibility.

21.4 (c) If the commissioner revokes or denies a person's permit, license, registration,  
21.5 or certificate under paragraph (b), the person is prohibited from reapplying for the same  
21.6 type of permit, license, registration, or certificate for at least two years after the effective  
21.7 date of the revocation or denial. The commissioner may, as a condition of reapplication,  
21.8 require the person to obtain a bond or comply with additional reasonable conditions the  
21.9 commissioner considers necessary to protect the public.

21.10 (d) If a permit, license, registration, or certificate expires, or is surrendered,  
21.11 withdrawn, or terminated, or otherwise becomes ineffective, the commissioner may  
21.12 institute a proceeding under this subdivision within two years after the permit, license,  
21.13 registration, or certificate was last effective and enter a revocation or suspension order as  
21.14 of the last date on which the permit, license, registration, or certificate was in effect.

21.15 Sec. 6. Minnesota Statutes 2012, section 326B.093, subdivision 4, is amended to read:

21.16 Subd. 4. **Examination results.** If the applicant receives a passing score on the  
21.17 examination and meets all other requirements for licensure, the commissioner must  
21.18 approve the application and notify the applicant of the approval within 60 days of the  
21.19 date of the passing score. The applicant must, within ~~90~~ 180 days after the notification  
21.20 of approval, pay the license fee. Upon receipt of the license fee, the commissioner must  
21.21 issue the license. If the applicant does not pay the license fee within ~~90~~ 180 days after  
21.22 the notification of approval, the commissioner will rescind the approval and must deny  
21.23 the application. If the applicant does not receive a passing score on the examination,  
21.24 the commissioner must deny the application. If the application is denied because of the  
21.25 applicant's failure to receive a passing score on the examination, then the applicant cannot  
21.26 submit a new application for the license until at least 30 days after the notification of denial.

21.27 Sec. 7. Minnesota Statutes 2012, section 326B.101, is amended to read:

21.28 **326B.101 POLICY AND PURPOSE.**

21.29 The State Building Code governs the construction, reconstruction, alteration, ~~and~~  
21.30 repair, and use of buildings and other structures to which the code is applicable. The  
21.31 commissioner shall administer and amend a state code of building construction which will  
21.32 provide basic and uniform performance standards, establish reasonable safeguards for  
21.33 health, safety, welfare, comfort, and security of the residents of this state and provide for  
21.34 the use of modern methods, devices, materials, and techniques which will in part tend to

22.1 lower construction costs. The construction of buildings should be permitted at the least  
22.2 possible cost consistent with recognized standards of health and safety.

22.3 Sec. 8. Minnesota Statutes 2012, section 326B.103, subdivision 11, is amended to read:

22.4 Subd. 11. **Public building.** "Public building" means a building and its grounds the  
22.5 cost of which is paid for by the state or a state agency regardless of its cost, and a school  
22.6 district building project or charter school building project the cost of which is \$100,000  
22.7 or more.

22.8 Sec. 9. Minnesota Statutes 2012, section 326B.121, subdivision 1, is amended to read:

22.9 Subdivision 1. **Application.** (a) The State Building Code is the standard that applies  
22.10 statewide for the construction, reconstruction, alteration, ~~and repair~~, and use of buildings  
22.11 and other structures of the type governed by the code.

22.12 (b) The State Building Code supersedes the building code of any municipality.

22.13 (c) The State Building Code does not apply to agricultural buildings except:

22.14 (1) with respect to state inspections required or rulemaking authorized by sections  
22.15 103F.141; 216C.19, subdivision 9; and 326B.36; and

22.16 (2) translucent panels or other skylights without raised curbs shall be supported to  
22.17 have equivalent load-bearing capacity as the surrounding roof.

22.18 Sec. 10. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
22.19 subdivision to read:

22.20 Subd. 9. **Direct supervision.** "Direct supervision" means:

22.21 (1) an unlicensed individual is being directly supervised by an individual licensed  
22.22 to perform the elevator work being supervised during the entire time the unlicensed  
22.23 individual is performing elevator work;

22.24 (2) the licensed individual is physically present at the location where the unlicensed  
22.25 individual is performing elevator work and immediately available to the unlicensed  
22.26 individual at all times for assistance and direction;

22.27 (3) the licensed individual shall review the elevator work performed by the  
22.28 unlicensed individual before the elevator work is operated; and

22.29 (4) the licensed individual is able to and does determine that all elevator work  
22.30 performed by the unlicensed individual is performed in compliance with the elevator code.

22.31 Sec. 11. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
22.32 subdivision to read:

23.1            Subd. 10. **Elevator contractor.** "Elevator contractor" means a licensed contractor  
23.2 whose responsible licensed individual is a master elevator constructor. An elevator  
23.3 contractor license does not itself qualify its holder to perform or supervise elevator work  
23.4 authorized by holding a personal license issued by the commissioner.

23.5            Sec. 12. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
23.6 subdivision to read:

23.7            Subd. 11. **Limited elevator contractor.** "Limited elevator contractor" means a  
23.8 licensed contractor whose responsible licensed individual is a limited master elevator  
23.9 constructor. A limited elevator contractor or its employees may only install, test, or alter  
23.10 residential elevators, platform lifts, stairway chairlifts, dumbwaiters, material lifts, limited  
23.11 use or limited application elevator equipment, conveyors, and special purpose personnel  
23.12 elevators.

23.13            Sec. 13. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
23.14 subdivision to read:

23.15            Subd. 11a. **Limited elevator work.** "Limited elevator work" means the installing,  
23.16 maintaining, altering, repairing, testing, planning, or laying out of residential elevators,  
23.17 platform lifts, stairway chairlifts, dumbwaiters, material lifts, limited use or limited  
23.18 application elevator equipment, conveyors, and special purpose personnel elevators  
23.19 as covered by Minnesota Rules, chapters 1307 and 1315. Limited elevator work also  
23.20 includes electrical wiring on the load side of the elevator equipment disconnect and the  
23.21 decommissioning of elevator equipment to enable safe removal.

23.22            Sec. 14. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
23.23 subdivision to read:

23.24            Subd. 12. **Elevator work.** "Elevator work" means the installing, maintaining,  
23.25 altering, repairing, testing, planning, or laying out of elevator apparatus or equipment as  
23.26 covered by Minnesota Rules, chapters 1307 and 1315. Elevator work also includes the  
23.27 disconnection of electrical wiring on the load side of the elevator equipment disconnect  
23.28 and the decommissioning of elevator equipment to enable safe removal.

23.29            Sec. 15. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
23.30 subdivision to read:

23.31            Subd. 13. **Master elevator constructor.** "Master elevator constructor" means  
23.32 an individual having the necessary qualifications, training, experience, and technical

24.1 knowledge to properly plan, lay out, supervise, and perform the installation, maintenance,  
24.2 altering, testing, wiring, and repair of apparatus and equipment for elevators, including  
24.3 electrical wiring on the load side of the elevator equipment disconnect and who is licensed  
24.4 as a master elevator constructor by the commissioner.

24.5 Sec. 16. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
24.6 subdivision to read:

24.7 Subd. 14. **Limited master elevator constructor.** "Limited master elevator  
24.8 constructor" means an individual having the necessary qualifications, training, experience,  
24.9 and technical knowledge to properly plan, lay out, supervise, and perform the testing,  
24.10 altering, installation, maintenance, and repair of wiring, apparatus, and equipment for  
24.11 residential elevators, platform lifts, stairway chairlifts, dumbwaiters, material lifts, limited  
24.12 use or limited application elevator equipment, conveyors, and special purpose personnel  
24.13 elevators, including wiring on the load side of the elevator equipment disconnect and who  
24.14 is licensed as a limited master elevator constructor by the commissioner.

24.15 Sec. 17. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
24.16 subdivision to read:

24.17 Subd. 14a. **Limited journeyman elevator constructor.** "Limited journeyman  
24.18 elevator constructor" means an individual having the necessary qualifications, training,  
24.19 experience, and technical knowledge to install, maintain, alter, test, and repair apparatus  
24.20 and equipment for residential elevators, platform lifts, stairway chairlifts, dumbwaiters,  
24.21 material lifts, limited use or limited application elevator equipment, conveyors, and  
24.22 special purpose personnel elevators, including electrical wiring on the load side of the  
24.23 elevator equipment disconnect and who is licensed as a limited journeyman elevator  
24.24 constructor by the commissioner.

24.25 Sec. 18. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
24.26 subdivision to read:

24.27 Subd. 15. **Journeyman elevator constructor.** "Journeyman elevator constructor"  
24.28 means an individual having the necessary qualifications, training, experience, and  
24.29 technical knowledge to install, maintain, alter, test, and repair apparatus and equipment for  
24.30 elevators, including electrical wiring on the load side of the elevator equipment disconnect  
24.31 and who is licensed as a journeyman elevator constructor by the commissioner.



25.1 Sec. 19. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
25.2 subdivision to read:

25.3 Subd. 16. **Registered unlicensed elevator constructor.** "Registered unlicensed  
25.4 elevator constructor" means an individual who has registered with the department but is  
25.5 not licensed by the commissioner to perform elevator work.

25.6 Sec. 20. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
25.7 subdivision to read:

25.8 Subd. 17. **Residential dwelling.** "Residential dwelling" is a single dwelling unit  
25.9 that is contained in a one-family, two-family, or multifamily dwelling. A residential  
25.10 dwelling also includes outdoor space at a one-family dwelling.

25.11 Sec. 21. Minnesota Statutes 2012, section 326B.163, is amended by adding a  
25.12 subdivision to read:

25.13 Subd. 18. **Responsible licensed individual.** "Responsible licensed individual"  
25.14 means an individual licensed as a master elevator constructor or limited master elevator  
25.15 constructor who is identified as the responsible licensed individual on an elevator  
25.16 contractor license application.

25.17 Sec. 22. **[326B.164] LICENSES.**

25.18 Subdivision 1. **Master elevator constructor.** (a) Except as otherwise provided by  
25.19 law, no individual shall perform or supervise elevator work, unless:

25.20 (1) the individual is licensed by the commissioner as a master elevator constructor;

25.21 and

25.22 (2) the elevator work is for a licensed elevator contractor and the individual is an  
25.23 employee, partner, or officer of, or is the licensed contractor.

25.24 (b) An applicant for a master elevator constructor license shall:

25.25 (1) have at least one year of experience, acceptable to the commissioner, as a  
25.26 licensed journeyman elevator constructor; or

25.27 (2) have at least six years' experience, acceptable to the commissioner, in planning  
25.28 for, laying out, supervising, and installing apparatus, equipment, and wiring for elevators.

25.29 (c) Individuals licensed as master elevator constructors under section 326B.33,  
25.30 subdivision 11, as of December 31, 2013, shall not be required to pass an examination

25.31 under this section but, effective January 1, 2014, shall be subject to the requirements of  
25.32 sections 326B.163 to 326B.191.

26.1 (d) Except for the initial license term, as a condition of license renewal, master  
26.2 elevator constructors must attain a minimum of 16 hours of continuing education credit  
26.3 approved by the commissioner every renewal period. Not less than 12 hours shall be based  
26.4 on the Minnesota Elevator Code or elevator technology, and not less than four hours shall  
26.5 be based on the National Electrical Code.

26.6 Subd. 2. **Limited master elevator constructor.** (a) Except as otherwise provided  
26.7 by law, no individual shall perform or supervise elevator work on residential elevators,  
26.8 platform lifts, stairway chairlifts, dumbwaiters, material lifts, limited use or limited  
26.9 application elevator equipment, conveyors, and special purpose personnel elevators, unless:

26.10 (1) the individual is licensed by the commissioner as a limited master elevator  
26.11 constructor; and

26.12 (2) the elevator work is for a limited elevator contractor and the individual is an  
26.13 employee, partner, or officer of, or is the licensed contractor.

26.14 (b) An applicant for a limited master elevator constructor license shall have at  
26.15 least three years of experience, acceptable to the commissioner, in installing apparatus,  
26.16 equipment, and wiring for elevators.

26.17 (c) Except for the initial license term, as a condition of license renewal, limited  
26.18 master elevator constructors must attain a minimum of eight hours of continuing education  
26.19 credit approved by the commissioner every renewal period. Not less than six hours shall  
26.20 be based on the Minnesota Elevator Code or elevator technology, and not less than two  
26.21 hours on the National Electrical Code.

26.22 Subd. 3. **Journeyman elevator constructor.** (a) Except as otherwise provided  
26.23 by law, no individual shall perform and supervise elevator work except for planning or  
26.24 laying out of elevator work, unless:

26.25 (1) the individual is licensed by the commissioner as a journeyman elevator  
26.26 constructor; and

26.27 (2) the elevator work is for an elevator contractor, and the individual is an employee,  
26.28 partner, or officer of the licensed elevator contractor.

26.29 (b) An applicant for a journeyman elevator constructor license shall have completed  
26.30 a four-year elevator mechanics apprenticeship registered with the United States  
26.31 Department of Labor or worked at least 9,000 hours in five consecutive years for a  
26.32 licensed elevator contractor, acceptable to the commissioner, installing, maintaining,  
26.33 modernizing, testing, wiring, and repairing elevators.

26.34 (c) Individuals licensed as journeyman elevator constructors under section 326B.33,  
26.35 subdivision 8, as of December 31, 2013, shall not be required to pass an examination

27.1 under this section but, effective January 1, 2014, shall be subject to the requirements of  
27.2 sections 326B.163 to 326B.191.

27.3 (d) As a condition of license renewal, journeyman elevator constructors must attain  
27.4 a minimum of 16 hours of continuing education credit approved by the commissioner  
27.5 every renewal period. Not less than 12 hours shall be based on the Minnesota Elevator  
27.6 Code or elevator technology, and not less than four hours shall be based on the National  
27.7 Electrical Code.

27.8 Subd. 3a. **Limited journeyman elevator constructor.** (a) Except as otherwise  
27.9 provided by law, no individual shall perform or supervise elevator work on residential  
27.10 elevators, platform lifts, stairway chairlifts, dumbwaiters, material lifts, limited use  
27.11 or limited application elevator equipment, conveyors, and special purpose personnel  
27.12 elevators, except for planning or laying out of elevator work, unless:

27.13 (1) the individual is licensed by the commissioner as a limited journeyman elevator  
27.14 constructor; and

27.15 (2) the elevator work is for a limited elevator contractor or an elevator contractor,  
27.16 and the individual is an employee, partner, or officer of the licensed limited elevator  
27.17 contractor or licensed elevator contractor.

27.18 (b) An applicant for a limited journeyman elevator constructor license shall have  
27.19 at least two years of experience, acceptable to the commissioner, in installing apparatus,  
27.20 equipment, and wiring for elevators.

27.21 (c) Except for the initial license term, as a condition of license renewal, limited  
27.22 journeyman elevator constructors must attain a minimum of eight hours of continuing  
27.23 education credit approved by the commissioner every renewal period. Not less than six  
27.24 hours shall be based on the Minnesota Elevator Code or elevator technology, and not less  
27.25 than two hours on the National Electrical Code.

27.26 Subd. 4. **Registered unlicensed elevator constructor.** (a) An unlicensed individual  
27.27 shall not perform elevator work, unless the individual has first registered with the  
27.28 department as an unlicensed elevator constructor. Except as allowed by subdivision 12, a  
27.29 registered unlicensed elevator constructor shall not perform elevator work unless the work  
27.30 is performed under the direct supervision of an individual actually licensed to perform  
27.31 such work. The licensed elevator constructor and the registered unlicensed elevator  
27.32 constructor must be employed by the same employer. Unlicensed individuals shall not  
27.33 supervise the performance of elevator work or make assignments of elevator work to  
27.34 unlicensed individuals. Licensed elevator constructors shall provide direct supervision for  
27.35 no more than two registered unlicensed elevator constructors.

28.1 (b) Notwithstanding any other provision of this section, no individual other than a  
28.2 master elevator constructor or limited master elevator constructor shall plan or lay out  
28.3 elevator wiring, apparatus, or equipment.

28.4 (c) Contractors employing registered unlicensed elevator constructors performing  
28.5 elevator work shall maintain records establishing compliance with this subdivision that  
28.6 shall identify all unlicensed individuals performing elevator work and shall permit the  
28.7 department to examine and copy all such records.

28.8 (d) When a licensed elevator constructor supervises the elevator work of an  
28.9 unlicensed individual, the licensed elevator constructor is responsible for ensuring that the  
28.10 elevator work complies with this section and the Minnesota Elevator Code.

28.11 (e) A registered unlicensed elevator constructor with a minimum of one year  
28.12 experience may perform the following maintenance tasks for elevator equipment without  
28.13 being provided with direct supervision: oiling, cleaning, greasing, painting, relamping,  
28.14 and replacing of escalator and moving walk comb teeth.

28.15 **Subd. 5. Registration of unlicensed individuals.** (a) Unlicensed individuals  
28.16 performing elevator work for a contractor shall register with the department in the manner  
28.17 prescribed by the commissioner. Experience credit for elevator work performed in  
28.18 Minnesota after January 1, 2009, by an applicant for a license identified in this section  
28.19 shall not be granted where the applicant has not registered with the department or is  
28.20 not licensed by the department.

28.21 (b) As a condition of renewal of registration, unlicensed individuals shall attain a  
28.22 minimum of two hours of continuing education credit, approved by the commissioner,  
28.23 every renewal period. The continuing education course shall be based on the Minnesota  
28.24 Elevator Code or elevator technology.

28.25 (c) Individuals registered under section 326B.33, subdivision 13, whose registration  
28.26 expires after July 31, 2013, shall be subject to the registration requirements of this  
28.27 subdivision and the requirements of sections 326B.163 to 326B.191.

28.28 **Subd. 6. Contractor's license required.** (a) No individual, other than an employee,  
28.29 partner, or officer of a licensed contractor, as defined by section 326B.163, subdivision  
28.30 10, shall perform or offer to perform elevator work with or without compensation, unless  
28.31 the individual obtains a contractor's license. A contractor's license does not of itself  
28.32 qualify its holder to perform or supervise the elevator work authorized by holding any  
28.33 class of personal license.

28.34 (b) Companies licensed under section 326B.33, subdivision 14, as of July 31, 2013,  
28.35 shall not be required to comply with this subdivision.

29.1 Subd. 7. **Bond required.** As a condition of licensing, each contractor shall give  
29.2 and maintain bond to the state in the sum of \$25,000, conditioned upon the faithful and  
29.3 lawful performance of all work contracted for or performed by the contractor within the  
29.4 state of Minnesota, and such bond shall be for the benefit of persons injured or suffering  
29.5 financial loss by reason of failure of such performance. The bond shall be filed with  
29.6 the commissioner and shall be in lieu of all other license bonds to any other political  
29.7 subdivision. The bond shall be written by a corporate surety licensed to do business  
29.8 in the state of Minnesota.

29.9 Subd. 8. **Insurance required.** Each elevator contractor shall have and maintain  
29.10 in effect general liability insurance, which includes premises and operations insurance  
29.11 and products and completed operations insurance, with limits of at least \$100,000 per  
29.12 occurrence, \$300,000 aggregate limit for bodily injury, and property damage insurance  
29.13 with limits of at least \$50,000, or a policy with a single limit for bodily injury and property  
29.14 damage of \$300,000 per occurrence and \$300,000 aggregate limits. The insurance shall be  
29.15 written by an insurer licensed to do business in the state of Minnesota, and each contractor  
29.16 shall maintain on file with the commissioner a certificate evidencing such insurance. In the  
29.17 event of a policy cancellation, the insurer shall send written notice to the commissioner at  
29.18 the same time that a cancellation request is received from or a notice is sent to the insured.

29.19 Subd. 9. **Employment of responsible individual.** (a) Each elevator contractor  
29.20 must designate a responsible master elevator constructor or limited master elevator  
29.21 constructor who shall be the responsible individual for the performance of all elevator  
29.22 work in accordance with the requirements of sections 326B.163 to 326B.191, all rules  
29.23 adopted under these sections, and all orders issued under section 326B.082. The classes of  
29.24 work that a licensed contractor is authorized to perform shall be limited to the classes of  
29.25 work that the responsible individual is allowed to perform.

29.26 (b) When a contractor's license is held by an individual, sole proprietorship,  
29.27 partnership, limited liability company, or corporation, and the individual, proprietor, one  
29.28 of the partners, one of the members, or an officer of the corporation, respectively, is not the  
29.29 responsible master elevator constructor or limited master elevator constructor, all elevator  
29.30 permits shall be submitted by the responsible master elevator constructor or limited  
29.31 master elevator constructor. If the contractor is an individual or a sole proprietorship,  
29.32 the responsible master or limited master elevator constructor must be the individual,  
29.33 proprietor, or managing employee. If the contractor is a partnership, the responsible  
29.34 master or limited master elevator constructor must be a general partner or managing  
29.35 employee. If the licensed contractor is a limited liability company, the responsible master  
29.36 or limited master elevator constructor must be a chief manager or managing employee.

30.1 If the contractor is a corporation, the responsible master or limited master elevator  
30.2 constructor must be an officer or managing employee. If the responsible master or limited  
30.3 master elevator constructor is a managing employee, the responsible individual must be  
30.4 actively engaged in performing elevator work on behalf of the contractor and cannot be  
30.5 employed in any capacity performing elevator work for any other elevator contractor or  
30.6 employer. An individual may be the responsible individual for only one contractor.

30.7 (c) All applications and renewals for contractor licenses shall include a verified  
30.8 statement that the applicant and responsible individual are in compliance with this  
30.9 subdivision.

30.10 Subd. 10. **Examination.** In addition to the other requirements described in this  
30.11 section and sections 326B.091 to 326B.098, as a precondition to issuance of a personal  
30.12 license, each applicant must pass a written or oral examination developed and administered  
30.13 by the commissioner to ensure the competence of each applicant for license. An oral  
30.14 examination shall be administered only to an applicant who furnishes a written statement  
30.15 from a certified teacher or other professional, trained in the area of reading disabilities,  
30.16 stating that the applicant has a specific reading disability that would prevent the applicant  
30.17 from performing satisfactorily on a written test. The oral examination shall be structured  
30.18 so that an applicant who passes the examination will not impair the applicant's own safety  
30.19 or that of others while acting as a licensed individual.

30.20 Subd. 11. **License, registration, and renewal fees; expiration.** (a) Unless revoked  
30.21 or suspended under this chapter, all licenses issued or renewed under this section expire on  
30.22 the following schedule:

30.23 (1) master licenses expire March 1 of each odd-numbered year after issuance or  
30.24 renewal;

30.25 (2) elevator contractor licenses expire March 1 of each even-numbered year after  
30.26 issuance or renewal;

30.27 (3) journeyman elevator constructor licenses expire two years from the date of  
30.28 original issuance and every two years thereafter; and

30.29 (4) registrations of unlicensed individuals expire one year from the date of original  
30.30 issuance and every year thereafter.

30.31 (b) For purposes of calculating license fees and renewal license fees required under  
30.32 section 326B.092:

30.33 (1) the registration of an unlicensed individual under subdivision 5 shall be  
30.34 considered an entry-level license;

30.35 (2) the journeyman elevator constructor shall be considered a journeyman license;

31.1 (3) the master elevator constructor and limited master elevator constructor licenses  
31.2 shall be considered master licenses; and

31.3 (4) an elevator contractor license shall be considered a business license.

31.4 Subd. 12. **Exemption from licensing.** Employees of a licensed elevator contractor  
31.5 or licensed limited elevator contractor are not required to hold or obtain a license  
31.6 under this section or be provided with direct supervision by a licensed master elevator  
31.7 constructor, licensed limited master elevator constructor, licensed elevator constructor,  
31.8 or licensed limited elevator constructor to install, maintain, or repair platform lifts and  
31.9 stairway chairlifts. Unlicensed employees performing elevator work under this exemption  
31.10 must comply with subdivision 5. This exemption does not include the installation,  
31.11 maintenance, repair, or replacement of electrical wiring for elevator equipment.

31.12 Subd. 13. **Reciprocity.** (a) The commissioner may enter into reciprocity agreements  
31.13 for personal licenses with another state and issue a personal license without requiring the  
31.14 applicant to pass an examination provided the applicant:

31.15 (1) submits an application under this section;

31.16 (2) pays the application and examination fee and license fee required under section  
31.17 326B.092; and

31.18 (3) holds a valid comparable license in the state participating in the agreement.

31.19 (b) Reciprocity agreements are subject to the following:

31.20 (1) the parties to the agreement must administer a statewide licensing program that  
31.21 includes examination and qualifying experience or training comparable to Minnesota's;

31.22 (2) the experience and training requirements under which an individual applicant  
31.23 qualified for examination in the qualifying state must be deemed equal to or greater than  
31.24 required for an applicant making application in Minnesota at the time the applicant  
31.25 acquired the license in the qualifying state;

31.26 (3) the applicant must have acquired the license in the qualifying state through an  
31.27 examination deemed equivalent to the same class of license examination in Minnesota.

31.28 A lesser class of license may be granted where the applicant has acquired a greater  
31.29 class of license in the qualifying state, and the applicant otherwise meets the conditions  
31.30 of this subdivision;

31.31 (4) at the time of application, the applicant must hold a valid license in the qualifying  
31.32 state and have held the license continuously for at least one year before making application  
31.33 in Minnesota;

31.34 (5) an applicant is not eligible for a license under this subdivision if the applicant has  
31.35 failed the same or greater class of license examination in Minnesota, or if the applicant's  
31.36 license of the same or greater class has been revoked or suspended; and

32.1 (6) an applicant who has failed to renew a personal license for two years or more  
32.2 after its expiration is not eligible for a license under this subdivision.

32.3 Sec. 23. Minnesota Statutes 2012, section 326B.184, subdivision 1, is amended to read:

32.4 Subdivision 1. **Permits.** No person may construct, install, alter, repair, or remove  
32.5 an elevator without first filing an application for a permit with the department or a  
32.6 municipality authorized by subdivision 4 to inspect elevators. A permit issued by the  
32.7 department is valid for work commenced within 12 months of application and completed  
32.8 within two years of application. Where no work is commenced within 12 months of  
32.9 application, an applicant may cancel the permit and request a refund of inspection fees.

32.10 Sec. 24. Minnesota Statutes 2012, section 326B.184, is amended by adding a  
32.11 subdivision to read:

32.12 Subd. 1a. **Department permit and inspection fees.** (a) The department permit and  
32.13 inspection fees to construct, install, alter, repair, or remove an elevator are as follows:

32.14 (1) the permit fee is \$100;

32.15 (2) the inspection fee is 0.015 of the total cost of the permitted work for labor and  
32.16 materials, including related electrical and mechanical equipment. The inspection fee  
32.17 covers two inspections. The inspection fee for additional inspections is \$80 per hour;

32.18 (3) when inspections scheduled by the permit submitter are not able to be completed  
32.19 because the work is not complete, a fee equal to two hours at the hourly rate of \$80 must  
32.20 be paid by the permit submitter; and

32.21 (4) when the owner or permit holder requests inspections be performed outside of  
32.22 normal work hours or on weekends or holidays, an hourly rate of \$120 in addition to  
32.23 the inspection fee must be paid.

32.24 (b) The department fees for inspection of existing elevators when requested by the  
32.25 elevator owner or as a result of an accident resulting in personal injury are at an hourly rate  
32.26 of \$80 during normal work hours or \$120 outside of normal work hours or on weekends or  
32.27 holidays, with a one-hour minimum.

32.28 **EFFECTIVE DATE.** This section is effective January 1, 2014.

32.29 Sec. 25. Minnesota Statutes 2012, section 326B.184, subdivision 2, is amended to read:

32.30 Subd. 2. **Operating permits and fees; periodic inspections.** (a) No person may  
32.31 operate an elevator without first obtaining an annual operating permit from the department  
32.32 or a municipality authorized by subdivision 4 to issue annual operating permits. A \$100  
32.33 annual operating permit fee must be paid to the department for each annual operating



33.1 permit issued by the department, except that the original annual operating permit must  
 33.2 be included in the permit fee for the initial installation of the elevator. Annual operating  
 33.3 permits must be issued at 12-month intervals from the date of the initial annual operating  
 33.4 permit. For each subsequent year, an owner must be granted an annual operating permit  
 33.5 for the elevator upon the owner's or owner's agent's submission of a form prescribed by  
 33.6 the commissioner and payment of the \$100 fee. Each form must include the location of  
 33.7 the elevator, the results of any periodic test required by the code, and any other criteria  
 33.8 established by rule. An annual operating permit may be revoked by the commissioner upon  
 33.9 an audit of the periodic testing results submitted with the application or a failure to comply  
 33.10 with elevator code requirements, inspections, or any other law related to elevators. Except  
 33.11 for an initial operating permit fee, hand-powered manlifts and electric endless belt manlifts,  
 33.12 and vertical reciprocating conveyors are not subject to a subsequent operating permit fee.

33.13 (b) All elevators are subject to periodic inspections by the department or a  
 33.14 municipality authorized by subdivision 4 to perform periodic inspections, except that  
 33.15 hand-powered manlifts and electric endless belt manlifts are exempt from periodic  
 33.16 inspections. Periodic inspections by the department shall be performed at the following  
 33.17 intervals:

33.18 (1) a special purpose personnel elevator is subject to inspection not more than once  
 33.19 every five years;

33.20 (2) an elevator located within a house of worship that does not have attached school  
 33.21 facilities is subject to inspection not more than once every three years; and

33.22 (3) all other elevators are subject to inspection not more than once each year.

33.23 Sec. 26. Minnesota Statutes 2012, section 326B.187, is amended to read:

33.24 **326B.187 RULES.**

33.25 The commissioner may adopt rules for the following purposes:

33.26 (1) to establish minimum qualifications for elevator inspectors that must include  
 33.27 possession of a current elevator constructor electrician's license issued by the department  
 33.28 and proof of successful completion of the national elevator industry education program  
 33.29 examination or equivalent experience;

33.30 (2) to establish minimum qualifications for limited elevator inspectors;

33.31 (3) to establish criteria for the qualifications of elevator contractors;

33.32 (4) to establish elevator standards under sections 326B.106, subdivisions 1 and 3,  
 33.33 and 326B.13;

33.34 (5) to establish procedures for appeals of decisions of the commissioner under  
 33.35 chapter 14 and procedures allowing the commissioner, before issuing a decision, to seek

34.1 advice from the elevator trade, building owners or managers, and others knowledgeable in  
34.2 the installation, construction, and repair of elevators; and

34.3 (6) to establish requirements for the registration of all elevators.

34.4 Sec. 27. Minnesota Statutes 2012, section 326B.31, is amended by adding a  
34.5 subdivision to read:

34.6 Subd. 26a. **Request for inspection.** "Request for inspection" means the application  
34.7 for and issuance of a permit for an electrical installation that is required to be inspected  
34.8 under section 326B.36.

34.9 Sec. 28. Minnesota Statutes 2012, section 326B.33, subdivision 19, is amended to read:

34.10 Subd. 19. **License, registration, and renewal fees; expiration.** (a) Unless  
34.11 revoked or suspended under this chapter, all licenses issued or renewed under this section  
34.12 expire on the date specified in this subdivision. Master licenses expire March 1 of each  
34.13 odd-numbered year after issuance or renewal. Electrical contractor licenses expire March  
34.14 1 of each even-numbered year after issuance or renewal. Technology system contractor  
34.15 and satellite system contractor licenses expire August 1 of each even-numbered year after  
34.16 issuance or renewal. All other personal licenses expire two years from the date of original  
34.17 issuance and every two years thereafter. Registrations of unlicensed individuals expire  
34.18 one year from the date of original issuance and every year thereafter.

34.19 (b) For purposes of calculating license fees and renewal license fees required under  
34.20 section 326B.092:

34.21 (1) the registration of an unlicensed individual under subdivision 12 shall be  
34.22 considered an entry level license;

34.23 (2) the following licenses shall be considered journeyman licenses: Class A  
34.24 journeyman electrician, Class B journeyman electrician, Class A installer, Class B  
34.25 installer, ~~elevator constructor~~, lineman, maintenance electrician, satellite system installer,  
34.26 and power limited technician;

34.27 (3) the following licenses shall be considered master licenses: Class A master  
34.28 electrician; and Class B master electrician; ~~and master elevator constructor~~; and

34.29 (4) the following licenses shall be considered business licenses: Class A electrical  
34.30 contractor, Class B electrical contractor, ~~elevator constructor~~, satellite system contractor,  
34.31 and technology systems contractor.

34.32 (c) For each filing of a certificate of responsible person by an employer, the fee is  
34.33 \$100.

35.1 Sec. 29. Minnesota Statutes 2012, section 326B.33, subdivision 21, is amended to read:

35.2 Subd. 21. **Exemptions from licensing.** (a) An individual who is a maintenance  
35.3 electrician is not required to hold or obtain a license under sections 326B.31 to 326B.399 if:

35.4 (1) the individual is engaged in the maintenance and repair of electrical equipment,  
35.5 apparatus, and facilities that are owned or leased by the individual's employer and that are  
35.6 located within the limits of property operated, maintained, and either owned or leased by  
35.7 the individual's employer;

35.8 (2) the individual is supervised by:

35.9 (i) the responsible master electrician for a contractor who has contracted with the  
35.10 individual's employer to provide services for which a contractor's license is required; or

35.11 (ii) a licensed master electrician, a licensed maintenance electrician, an electrical  
35.12 engineer, or, if the maintenance and repair work is limited to technology circuits or  
35.13 systems work, a licensed power limited technician; and

35.14 (3) the individual's employer has on file with the commissioner a current certificate  
35.15 of responsible person, signed by the responsible master electrician of the contractor, the  
35.16 licensed master electrician, the licensed maintenance electrician, the electrical engineer, or  
35.17 the licensed power limited technician, and stating that the person signing the certificate  
35.18 is responsible for ensuring that the maintenance and repair work performed by the  
35.19 employer's employees complies with the Minnesota Electrical Act and the rules adopted  
35.20 under that act. The employer must pay a filing fee to file a certificate of responsible person  
35.21 with the commissioner. The certificate shall expire two years from the date of filing. In  
35.22 order to maintain a current certificate of responsible person, the employer must resubmit a  
35.23 certificate of responsible person, with a filing fee, no later than two years from the date  
35.24 of the previous submittal.

35.25 (b) Employees of a licensed electrical or technology systems contractor or other  
35.26 employer where provided with supervision by a master electrician in accordance with  
35.27 subdivision 1, or power limited technician in accordance with subdivision 7, paragraph  
35.28 (a), clause (1), are not required to hold a license under sections 326B.31 to 326B.399  
35.29 for the planning, laying out, installing, altering, and repairing of technology circuits or  
35.30 systems except planning, laying out, or installing:

35.31 (1) in other than residential dwellings, class 2 or class 3 remote control circuits that  
35.32 control circuits or systems other than class 2 or class 3, except circuits that interconnect  
35.33 these systems through communication, alarm, and security systems are exempted from  
35.34 this paragraph;

35.35 (2) class 2 or class 3 circuits in electrical cabinets, enclosures, or devices containing  
35.36 physically unprotected circuits other than class 2 or class 3; or

36.1 (3) technology circuits or systems in hazardous classified locations as covered by  
36.2 chapter 5 of the National Electrical Code.

36.3 (c) Companies and their employees that plan, lay out, install, alter, or repair class  
36.4 2 and class 3 remote control wiring associated with plug or cord and plug connected  
36.5 appliances other than security or fire alarm systems installed in a residential dwelling are  
36.6 not required to hold a license under sections 326B.31 to 326B.399.

36.7 (d) Heating, ventilating, air conditioning, and refrigeration contractors and their  
36.8 employees are not required to hold or obtain a license under sections 326B.31 to 326B.399  
36.9 when performing heating, ventilating, air conditioning, or refrigeration work as described  
36.10 in section 326B.38.

36.11 (e) Employees of any electrical, communications, or railway utility, cable  
36.12 communications company as defined in section 238.02, or a telephone company as defined  
36.13 under section 237.01 or its employees, or of any independent contractor performing work  
36.14 on behalf of any such utility, cable communications company, or telephone company, shall  
36.15 not be required to hold a license under sections 326B.31 to 326B.399:

36.16 (1) while performing work on installations, materials, or equipment which are owned  
36.17 or leased, and operated and maintained by such utility, cable communications company, or  
36.18 telephone company in the exercise of its utility, antenna, or telephone function, and which

36.19 (i) are used exclusively for the generation, transformation, distribution, transmission,  
36.20 or metering of electric current, or the operation of railway signals, or the transmission  
36.21 of intelligence and do not have as a principal function the consumption or use of electric  
36.22 current or provided service by or for the benefit of any person other than such utility, cable  
36.23 communications company, or telephone company, and

36.24 (ii) are generally accessible only to employees of such utility, cable communications  
36.25 company, or telephone company or persons acting under its control or direction, and

36.26 (iii) are not on the load side of the service point or point of entrance for  
36.27 communication systems;

36.28 (2) while performing work on installations, materials, or equipment which are a part  
36.29 of the street lighting operations of such utility; or

36.30 (3) while installing or performing work on outdoor area lights which are directly  
36.31 connected to a utility's distribution system and located upon the utility's distribution poles,  
36.32 and which are generally accessible only to employees of such utility or persons acting  
36.33 under its control or direction.

36.34 (f) An owner shall not be required to hold or obtain a license under sections 326B.31  
36.35 to 326B.399.

37.1 (g) Companies and their employees licensed under section 326B.164 shall not be  
37.2 required to hold or obtain a license under sections 326B.31 to 326B.399.

37.3 Sec. 30. Minnesota Statutes 2012, section 326B.36, subdivision 7, is amended to read:

37.4 Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall  
37.5 not be subject to inspection under sections 326B.31 to 326B.399:

37.6 (1) when owned or leased, operated and maintained by any employer whose  
37.7 maintenance electricians are exempt from licensing under sections 326B.31 to 326B.399,  
37.8 while performing electrical maintenance work only as defined by rule;

37.9 (2) when owned or leased, and operated and maintained by any electrical,  
37.10 communications, or railway utility, cable communications company as defined in section  
37.11 238.02, or telephone company as defined under section 237.01, in the exercise of its  
37.12 utility, antenna, or telephone function; and

37.13 (i) are used exclusively for the generations, transformation, distribution,  
37.14 transmission, or metering of electric current, or the operation of railway signals, or the  
37.15 transmission of intelligence, and do not have as a principal function the consumption or  
37.16 use of electric current by or for the benefit of any person other than such utility, cable  
37.17 communications company, or telephone company; and

37.18 (ii) are generally accessible only to employees of such utility, cable communications  
37.19 company, or telephone company or persons acting under its control or direction; and

37.20 (iii) are not on the load side of the service point or point of entrance for  
37.21 communication systems;

37.22 (3) when used in the street lighting operations of an electrical utility;

37.23 (4) when used as outdoor area lights which are owned and operated by an electrical  
37.24 utility and which are connected directly to its distribution system and located upon the  
37.25 utility's distribution poles, and which are generally accessible only to employees of such  
37.26 utility or persons acting under its control or direction;

37.27 (5) when the installation, material, and equipment are in facilities subject to the  
37.28 jurisdiction of the federal Mine Safety and Health Act; or

37.29 (6) when the installation, material, and equipment is part of an elevator installation  
37.30 for which the elevator contractor, licensed under section ~~326B.33~~ 326B.164, is required to  
37.31 obtain a permit from the authority having jurisdiction as provided by section 326B.184,  
37.32 and the inspection has been or will be performed by an elevator inspector certified and  
37.33 licensed by the department. This exemption shall apply only to installations, material, and  
37.34 equipment permitted or required to be connected on the load side of the disconnecting  
37.35 means required for elevator equipment under National Electrical Code Article 620, and

38.1 elevator communications and alarm systems within the machine room, car, hoistway, or  
38.2 elevator lobby.

38.3 Sec. 31. Minnesota Statutes 2012, section 326B.37, is amended by adding a  
38.4 subdivision to read:

38.5 Subd. 15. Utility interconnected wind generation installations. (a) Fees  
38.6 associated with utility interconnected generation installations consisting of one or more  
38.7 generator sources interconnected with a utility power system and not supplying other  
38.8 premises loads are calculated according to paragraph (b) or (c).

38.9 (b) The inspection fee is calculated according to subdivisions 2, 3, 4, and 6,  
38.10 paragraphs (d), (f), (j), and (k). A fee must be included for the generators and utility  
38.11 interconnect feeders, but not for a utility service.

38.12 (c) There is a plan review fee and an inspection fee for the entire electrical  
38.13 installation. The plan review fee is based on the valuation of the electrical installation  
38.14 related to one of the generator systems that is part of the overall installation, not to include  
38.15 the supporting tower or other nonelectrical equipment or structures, calculated according  
38.16 to section 326B.153, subdivision 2. The inspection fee is \$80 for each individual tower,  
38.17 including any voltage matching transformers located at the tower, and the fee for the  
38.18 feeders interconnecting the individual towers to the utility power system is calculated  
38.19 according to subdivisions 4 and 6, paragraph (k).

38.20 Sec. 32. Minnesota Statutes 2012, section 326B.43, subdivision 2, is amended to read:

38.21 **Subd. 2. Agreement with municipality.** The commissioner may enter into an  
38.22 agreement with a municipality, in which the municipality agrees to perform plan and  
38.23 specification reviews required to be performed by the commissioner under Minnesota  
38.24 Rules, part 4715.3130, if:

38.25 (a) the municipality has adopted:

38.26 (1) the plumbing code;

38.27 (2) an ordinance that requires plumbing plans and specifications to be submitted to,  
38.28 reviewed, and approved by the municipality, except as provided in paragraph (n);

38.29 (3) an ordinance that authorizes the municipality to perform inspections required by  
38.30 the plumbing code; and

38.31 (4) an ordinance that authorizes the municipality to enforce the plumbing code in its  
38.32 entirety, except as provided in paragraph (p);

39.1 (b) the municipality agrees to review plumbing plans and specifications for all  
39.2 construction for which the plumbing code requires the review of plumbing plans and  
39.3 specifications, except as provided in paragraph (n);

39.4 (c) the municipality agrees that, when it reviews plumbing plans and specifications  
39.5 under paragraph (b), the review will:

39.6 (1) reflect the degree to which the plans and specifications affect the public health  
39.7 and conform to the provisions of the plumbing code;

39.8 (2) ensure that there is no physical connection between water supply systems that  
39.9 are safe for domestic use and those that are unsafe for domestic use; and

39.10 (3) ensure that there is no apparatus through which unsafe water may be discharged  
39.11 or drawn into a safe water supply system;

39.12 (d) the municipality agrees to perform all inspections required by the plumbing  
39.13 code in connection with projects for which the municipality reviews plumbing plans and  
39.14 specifications under paragraph (b);

39.15 (e) the commissioner determines that the individuals who will conduct the inspections  
39.16 and the plumbing plan and specification reviews for the municipality do not have any  
39.17 conflict of interest in conducting the inspections and the plan and specification reviews;

39.18 (f) individuals who will conduct the plumbing plan and specification reviews for  
39.19 the municipality are:

39.20 (1) licensed master plumbers;

39.21 (2) licensed professional engineers; or

39.22 (3) individuals who are working under the supervision of a licensed professional  
39.23 engineer or licensed master plumber and who are licensed master or journeyman plumbers  
39.24 or hold a postsecondary degree in engineering;

39.25 (g) individuals who will conduct the plumbing plan and specification reviews for  
39.26 the municipality have passed a competency assessment required by the commissioner to  
39.27 assess the individual's competency at reviewing plumbing plans and specifications;

39.28 (h) individuals who will conduct the plumbing inspections for the municipality  
39.29 are licensed master or journeyman plumbers, or inspectors meeting the competency  
39.30 requirements established in rules adopted under section 326B.135;

39.31 (i) the municipality agrees to enforce in its entirety the plumbing code on all  
39.32 projects, except as provided in paragraph (p);

39.33 (j) the municipality agrees to keep official records of all documents received,  
39.34 including plans, specifications, surveys, and plot plans, and of all plan reviews, permits  
39.35 and certificates issued, reports of inspections, and notices issued in connection with  
39.36 plumbing inspections and the review of plumbing plans and specifications;

40.1 (k) the municipality agrees to maintain the records described in paragraph (j) in the  
40.2 official records of the municipality for the period required for the retention of public  
40.3 records under section 138.17, and shall make these records readily available for review at  
40.4 the request of the commissioner;

40.5 (l) the municipality and the commissioner agree that if at any time during the  
40.6 agreement the municipality does not have in effect the plumbing code or any of ordinances  
40.7 described in paragraph (a), or if the commissioner determines that the municipality is not  
40.8 properly administering and enforcing the plumbing code or is otherwise not complying  
40.9 with the agreement:

40.10 (1) the commissioner may, effective 14 days after the municipality's receipt of  
40.11 written notice, terminate the agreement;

40.12 (2) the municipality may challenge the termination in a contested case before the  
40.13 commissioner pursuant to the Administrative Procedure Act; and

40.14 (3) while any challenge is pending under clause (2), the commissioner shall perform  
40.15 plan and specification reviews within the municipality under Minnesota Rules, part  
40.16 4715.3130;

40.17 (m) the municipality and the commissioner agree that the municipality may terminate  
40.18 the agreement with or without cause on 90 days' written notice to the commissioner;

40.19 (n) the municipality and the commissioner agree that the municipality shall forward  
40.20 to the state for review all plumbing plans and specifications for the following types of  
40.21 projects within the municipality:

40.22 (1) ~~hospitals, nursing homes, supervised living facilities licensed for eight or~~  
40.23 ~~more individuals, and similar health-care-related facilities regulated by the Minnesota~~  
40.24 ~~Department of Health~~ state-licensed facilities as defined in section 326B.103, subdivision  
40.25 13;

40.26 (2) ~~buildings owned by the federal or state government~~ public buildings as defined  
40.27 in section 326B.103, subdivision 11; and

40.28 (3) projects of a special nature for which department review is requested by either  
40.29 the municipality or the state;

40.30 (o) where the municipality forwards to the state for review plumbing plans and  
40.31 specifications, as provided in paragraph (n), the municipality shall not collect any fee for  
40.32 plan review, and the commissioner shall collect all applicable fees for plan review; and

40.33 (p) no municipality shall revoke, suspend, or place restrictions on any plumbing  
40.34 license issued by the state.

40.35 Sec. 33. Minnesota Statutes 2012, section 326B.49, subdivision 2, is amended to read:



41.1 Subd. 2. **Fees for plan reviews and audits.** Plumbing system plans and  
41.2 specifications that are submitted to the commissioner for review shall be accompanied by  
41.3 the appropriate plan examination fees. If the commissioner determines, upon review of  
41.4 the plans, that inadequate fees were paid, the necessary additional fees shall be paid prior  
41.5 to plan approval. The commissioner shall charge the following fees for plan reviews and  
41.6 audits of plumbing installations for public, commercial, and industrial buildings:

41.7 (1) systems with both water distribution and drain, waste, and vent systems and  
41.8 having:

41.9 (i) 25 or fewer drainage fixture units, \$150;

41.10 (ii) 26 to 50 drainage fixture units, \$250;

41.11 (iii) 51 to 150 drainage fixture units, \$350;

41.12 (iv) 151 to 249 drainage fixture units, \$500;

41.13 (v) 250 or more drainage fixture units, \$3 per drainage fixture unit to a maximum  
41.14 of \$4,000; and

41.15 (vi) interceptors, separators, or catch basins, \$70 per interceptor, separator, or catch  
41.16 basin design;

41.17 (2) building sewer service only, \$150;

41.18 (3) building water service only, \$150;

41.19 (4) building water distribution system only, no drainage system, \$5 per supply  
41.20 fixture unit or \$150, whichever is greater;

41.21 (5) storm drainage system, a minimum fee of \$150 or:

41.22 (i) \$50 per drain opening, up to a maximum of \$500; and

41.23 (ii) \$70 per interceptor, separator, or catch basin design;

41.24 (6) manufactured home park or campground, one to 25 sites, \$300;

41.25 (7) manufactured home park or campground, 26 to 50 sites, \$350;

41.26 (8) manufactured home park or campground, 51 to 125 sites, \$400;

41.27 (9) manufactured home park or campground, more than 125 sites, \$500; and

41.28 ~~(10) accelerated review, double the regular fee, one-half to be refunded if no~~  
41.29 ~~response from the commissioner within 15 business days; and~~

41.30 ~~(11)~~ (10) revision to previously reviewed or incomplete plans:

41.31 (i) review of plans for which the commissioner has issued two or more requests for  
41.32 additional information, per review, \$100 or ten percent of the original fee, whichever  
41.33 is greater;

41.34 (ii) proposer-requested revision with no increase in project scope, \$50 or ten percent  
41.35 of original fee, whichever is greater; and

42.1 (iii) proposer-requested revision with an increase in project scope, \$50 plus the  
 42.2 difference between the original project fee and the revised project fee.

42.3 **EFFECTIVE DATE.** This section is effective January 1, 2014.

42.4 Sec. 34. Minnesota Statutes 2012, section 326B.49, subdivision 3, is amended to read:

42.5 Subd. 3. **Inspection Permits; fees.** ~~The commissioner shall charge the following~~  
 42.6 ~~fees for inspections under sections 326B.42 to 326B.49:~~

42.7	<del>Residential inspection fee (each visit)</del>	\$ 50
42.8	<del>Public, Commercial, and Industrial Inspections</del>	<del>Inspection Fee</del>
42.9	<del>25 or fewer drainage fixture units</del>	\$ 300
42.10	<del>26 to 50 drainage fixture units</del>	\$ 900
42.11	<del>51 to 150 drainage fixture units</del>	\$ 1,200
42.12	<del>151 to 249 drainage fixture units</del>	\$ 1,500
42.13	<del>250 or more drainage fixture units</del>	\$ 1,800
42.14	<del>Callback fee (each visit)</del>	\$ 100

42.15 (a) Before commencement of a plumbing installation to be inspected by the  
 42.16 commissioner, the plumbing contractor or registered plumbing employer performing the  
 42.17 plumbing work must submit to the commissioner an application for a permit and the  
 42.18 permit and inspection fees in paragraphs (b) to (f).

42.19 (b) The permit fee is \$100.

42.20 (c) The residential inspection fee is \$50 for each inspection trip.

42.21 (d) The public, commercial, and industrial inspection fees are as follows:

42.22 (1) for systems with water distribution, drain, waste, and vent system connection:

42.23 (i) \$25 for each fixture, permanently connected appliance, floor drain, or other  
 42.24 appurtenance;

42.25 (ii) \$25 for each water conditioning, water treatment, or water filtration system; and

42.26 (iii) \$25 for each interceptor, separator, catch basin, or manhole;

42.27 (2) roof drains, \$25 for each drain;

42.28 (3) building sewer service only, \$100;

42.29 (4) building water service only, \$100;

42.30 (5) building water distribution system only, no drainage system, \$5 for each fixture  
 42.31 supplied;

42.32 (6) storm drainage system, a minimum fee of \$25 for each drain opening, interceptor,  
 42.33 separator, or catch basin;

42.34 (7) manufactured home park or campground, \$25 for each site;

42.35 (8) reinspection fee to verify corrections, regardless of the total fee submitted, \$100  
 42.36 for each reinspection; and

43.1 (9) each \$100 in fees paid covers one inspection trip.

43.2 (e) In addition to the fees in paragraph (c), the fee submitter must pay an hourly rate of  
43.3 \$80 during regular business hours, or \$120 when inspections are requested to be performed  
43.4 outside of normal work hours or on weekends and holidays, with a two-hour minimum  
43.5 where the fee submitter requests inspections of installations as systems are being installed.

43.6 (f) The fee submitter must pay a fee equal to two hours at the hourly rate of \$80  
43.7 when inspections scheduled by the submitter are not able to be completed because the  
43.8 work is not complete.

43.9 Sec. 35. Minnesota Statutes 2012, section 326B.89, subdivision 1, is amended to read:

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

43.12 (b) "Gross annual receipts" means the total amount derived from residential  
43.13 contracting or residential remodeling activities, regardless of where the activities are  
43.14 performed, and must not be reduced by costs of goods sold, expenses, losses, or any  
43.15 other amount.

43.16 (c) "Licensee" means a person licensed as a residential contractor or residential  
43.17 remodeler.

43.18 (d) "Residential real estate" means a new or existing building constructed for  
43.19 habitation by one to four families, and includes detached garages.

43.20 (e) "Fund" means the contractor recovery fund.

43.21 (f) "Owner" when used in connection with real property, means a person who has  
43.22 any legal or equitable interest in real property and includes a condominium or townhome  
43.23 association that owns common property located in a condominium building or townhome  
43.24 building or an associated detached garage. Owner does not include any real estate  
43.25 developer or any owner using, or intending to use, the property for a business purpose and  
43.26 not as owner-occupied residential real estate.

43.27 Sec. 36. Minnesota Statutes 2012, section 327B.04, subdivision 4, is amended to read:

43.28 Subd. 4. **License prerequisites.** No application shall be granted nor license issued  
43.29 until the applicant proves to the commissioner that:

43.30 (a) the applicant has a permanent, established place of business at each licensed  
43.31 location. An "established place of business" means a permanent enclosed building other  
43.32 than a residence, or a commercial office space, either owned by the applicant or leased by  
43.33 the applicant for a term of at least one year, located in an area where zoning regulations  
43.34 allow commercial activity, and where the books, records and files necessary to conduct

44.1 the business are kept and maintained. The owner of a licensed manufactured home park  
44.2 who resides in or adjacent to the park may use the residence as the established place of  
44.3 business required by this subdivision, unless prohibited by local zoning ordinance.

44.4 If a license is granted, the licensee may use unimproved lots and premises for sale,  
44.5 storage, and display of manufactured homes, if the licensee first notifies the commissioner  
44.6 in writing;

44.7 (b) if the applicant desires to sell, solicit or advertise the sale of new manufactured  
44.8 homes, it has a bona fide contract or franchise in effect with a manufacturer or distributor  
44.9 of the new manufactured home it proposes to deal in;

44.10 (c) the applicant has secured: (1) a surety bond in the amount of \$20,000 for each  
44.11 agency and each subagency location that bears the applicant's name and the name under  
44.12 which the applicant will be licensed and do business in this state. Each bond is for the  
44.13 protection of consumer customers, and must be executed by the applicant as principal and  
44.14 issued by a surety company admitted to do business in this state. Each bond shall be  
44.15 exclusively for the purpose of reimbursing consumer customers and shall be conditioned  
44.16 upon the faithful compliance by the applicant with all of the laws and rules of this state  
44.17 pertaining to the applicant's business as a dealer or manufacturer, including sections  
44.18 325D.44, 325F.67 and 325F.69, and upon the applicant's faithful performance of all its  
44.19 legal obligations to consumer customers; and (2) a certificate of liability insurance in  
44.20 the amount of \$1,000,000 that provides aggregate coverage for the agency and each  
44.21 subagency location. In the event of a policy cancellation, the insurer shall send written  
44.22 notice to the commissioner at the same time that a cancellation request is received from  
44.23 or a notice is sent to the insured;

44.24 (d) the applicant has established a trust account as required by section 327B.08,  
44.25 subdivision 3, unless the applicant states in writing its intention to limit its business to  
44.26 selling, offering for sale, soliciting or advertising the sale of new manufactured homes; and

44.27 (e) the applicant has provided evidence of having had at least two years' prior  
44.28 experience in the sale of manufactured homes, working for a licensed dealer. The  
44.29 applicant does not have to satisfy the two-year prior experience requirement if:

44.30 (1) the applicant sells or brokers used manufactured homes as permitted under  
44.31 section 327B.01, subdivision 7; or

44.32 (2) the applicant:

44.33 (i) has met all other licensing requirements;

44.34 (ii) is the owner of a manufactured home park; and

44.35 (iii) is selling new manufactured homes installed in the manufactured home park  
44.36 that the applicant owns.

45.1 Sec. 37. Minnesota Statutes 2012, section 341.21, subdivision 3a, is amended to read:

45.2 Subd. 3a. **Commissioner.** "Commissioner" means the commissioner of labor  
45.3 and industry or a duly designated representative of the commissioner who is either an  
45.4 employee of the Department of Labor and Industry or a person working under contract  
45.5 with the department.

45.6 Sec. 38. Minnesota Statutes 2012, section 341.221, is amended to read:

45.7 **341.221 ADVISORY COUNCIL.**

45.8 (a) The commissioner must appoint a Combative Sports Advisory Council to advise  
45.9 the commissioner on the administration of duties under this chapter.

45.10 (b) The council shall have nine members appointed by the commissioner. One  
45.11 member must be a retired judge of the Minnesota District Court, Minnesota Court of  
45.12 Appeals, Minnesota Supreme Court, the United States District Court for the District of  
45.13 Minnesota, or the Eighth Circuit Court of Appeals. At least four members must have  
45.14 knowledge of the boxing industry. At least four members must have knowledge of the  
45.15 mixed martial arts industry. The commissioner shall make serious efforts to appoint  
45.16 qualified women to serve on the council.

45.17 (c) Council members shall serve terms of four years with the terms ending on the  
45.18 first Monday in January.

45.19 (d) The council shall annually elect from its membership a chair.

45.20 (e) ~~The commissioner shall convene the first meeting of the council by July 1, 2012.~~  
45.21 ~~The council shall elect a chair at its first meeting. Thereafter, Meetings shall be convened~~  
45.22 ~~by the commissioner, or by the chair with the approval of the commissioner.~~

45.23 (f) ~~For the first appointments to the council, the commissioner shall appoint the~~  
45.24 ~~members currently serving on the Combative Sports Commission established under~~  
45.25 ~~section 341.22, to the council.~~ The commissioner shall designate two of the members to  
45.26 serve until the first Monday in January 2013; two members to serve until the first Monday  
45.27 in January 2014; two members to serve until the first Monday in January 2015; and three  
45.28 members to serve until the first Monday in January 2016.

45.29 (g) Removal of members, filling of vacancies, and compensation of members shall  
45.30 be as provided in section 15.059.

45.31 Sec. 39. Minnesota Statutes 2012, section 341.27, is amended to read:

45.32 **341.27 COMMISSIONER DUTIES.**

45.33 The commissioner shall:

45.34 (1) issue, deny, renew, suspend, or revoke licenses;

- 46.1 (2) make and maintain records of its acts and proceedings including the issuance,  
 46.2 denial, renewal, suspension, or revocation of licenses;
- 46.3 (3) keep public records of the council open to inspection at all reasonable times;
- 46.4 (4) develop rules to be implemented under this chapter;
- 46.5 (5) conform to the rules adopted under this chapter;
- 46.6 (6) develop policies and procedures for regulating boxing and mixed martial arts; ~~and~~
- 46.7 (7) immediately suspend an individual license for a medical condition, including but  
 46.8 not limited to a medical condition resulting from an injury sustained during a match, bout,  
 46.9 or contest that has been confirmed by the ringside physician. The medical suspension must  
 46.10 be lifted after the commissioner receives written information from a physician licensed in  
 46.11 the home state of the licensee indicating that the combatant may resume competition, and  
 46.12 any other information that the commissioner may by rule require. Medical suspensions  
 46.13 are not subject to section ~~214.10~~. 326B.082 or the contested case procedures provided  
 46.14 in sections 14.57 to 14.69; and
- 46.15 (8) immediately suspend an individual combatant license for a mandatory rest period,  
 46.16 which must commence at the conclusion of every combative sports contest in which the  
 46.17 license holder competes and does not receive a medical suspension. A rest suspension  
 46.18 must automatically lift after seven calendar days from the date the combative sports  
 46.19 contest passed without notice or additional proceedings. Rest suspensions are not subject  
 46.20 to section 326B.082 or the contested case procedures provided in sections 14.57 to 14.69.

46.21 Sec. 40. Minnesota Statutes 2012, section 341.29, is amended to read:

46.22 **341.29 JURISDICTION OF COMMISSIONER.**

46.23 The commissioner shall:

- 46.24 (1) have sole direction, supervision, regulation, control, and jurisdiction over all  
 46.25 combative sport contests that are held within this state unless a contest is exempt from the  
 46.26 application of this chapter under federal law;
- 46.27 (2) have sole control, authority, and jurisdiction over all licenses required by this  
 46.28 chapter; ~~and~~
- 46.29 (3) grant a license to an applicant if, in the judgment of the commissioner, the  
 46.30 financial responsibility, experience, character, and general fitness of the applicant are  
 46.31 consistent with the public interest, convenience, or necessity and the best interests of  
 46.32 combative sports and conforms with this chapter and the commissioner's rules; and
- 46.33 (4) deny, suspend, or revoke a license using the enforcement provisions of section  
 46.34 326B.082.

47.1 Sec. 41. Minnesota Statutes 2012, section 341.30, subdivision 4, is amended to read:

47.2 Subd. 4. **Prelicensure requirements.** (a) Before the commissioner issues a license  
47.3 to a promoter, corporation, or other business entity, the applicant shall:

47.4 (1) provide the commissioner with a copy of any agreement between a combatant  
47.5 and the applicant that binds the applicant to pay the combatant a certain fixed fee or  
47.6 percentage of the gate receipts;

47.7 (2) show on the application the owner or owners of the applicant entity and the  
47.8 percentage of interest held by each owner holding a 25 percent or more interest in the  
47.9 applicant;

47.10 (3) provide the commissioner with a copy of the latest financial statement of the  
47.11 entity; and

47.12 (4) provide the commissioner with a copy or other proof acceptable to the  
47.13 commissioner of the insurance contract or policy required by this chapter.

47.14 (b) Before the commissioner issues a license to a promoter, the applicant shall  
47.15 deposit with the commissioner a cash bond or surety bond in an amount set by the  
47.16 commissioner, which must not be less than \$10,000. The bond shall be executed in favor  
47.17 of this state and shall be conditioned on the faithful performance by the promoter of the  
47.18 promoter's obligations under this chapter and the rules adopted under it. An applicant for a  
47.19 license as a promoter and licensed promoters shall submit an application for each event a  
47.20 minimum of six weeks before the combative sport contest is scheduled to occur.

47.21 (c) Before the commissioner issues a license to a combatant, the applicant shall  
47.22 submit to the commissioner:

47.23 (1) a mixed martial arts combatant national identification number or federal boxing  
47.24 identification number that is unique to the applicant, or both; and

47.25 (2) the results of a current medical examination on forms furnished or approved  
47.26 by the commissioner. The medical examination must include an ophthalmological and  
47.27 neurological examination, and documentation of test results for HBV, HCV, and HIV, and  
47.28 any other blood test as the commissioner by rule may require. The ophthalmological  
47.29 examination must be designed to detect any retinal defects or other damage or condition  
47.30 of the eye that could be aggravated by combative sports. The neurological examination  
47.31 must include an electroencephalogram or medically superior test if the combatant has  
47.32 been knocked unconscious in a previous contest. The commissioner may also order an  
47.33 electroencephalogram or other appropriate neurological or physical examination before  
47.34 any contest if it determines that the examination is desirable to protect the health of the  
47.35 combatant. The commissioner shall not issue a license to an applicant submitting positive  
47.36 test results for HBV, HCV, or HIV.

48.1 Sec. 42. Minnesota Statutes 2012, section 341.32, subdivision 2, is amended to read:

48.2 Subd. 2. **Expiration and renewal.** ~~A license issued after July 1, 2007, is valid for~~  
48.3 ~~one year from the date it is issued and~~ Licenses expire annually on December 31, and may  
48.4 be renewed by filing an application for renewal with the commissioner and payment of the  
48.5 license fees established in section 341.321. An application for a license and renewal of a  
48.6 license must be on a form provided by the commissioner. There is a 30-day grace period  
48.7 during which a license may be renewed if a late filing penalty fee equal to the license fee  
48.8 is submitted with the regular license fee. A licensee that files late shall not conduct any  
48.9 activity regulated by this chapter until the commissioner has renewed the license. If the  
48.10 licensee fails to apply to the commissioner within the 30-day grace period, the licensee  
48.11 must apply for a new license under subdivision 1.

48.12 Sec. 43. Minnesota Statutes 2012, section 341.321, is amended to read:

48.13 **341.321 FEE SCHEDULE.**

48.14 (a) The fee schedule for professional licenses issued by the commissioner is as  
48.15 follows:

- 48.16 (1) referees, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.17 (2) promoters, ~~\$400~~ \$700 for each initial license and each renewal;
- 48.18 (3) judges and knockdown judges, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.19 (4) trainers, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.20 (5) ring announcers, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.21 (6) seconds, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.22 (7) timekeepers, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.23 (8) combatants, ~~\$45~~ \$120 for each initial license and each renewal;
- 48.24 (9) managers, ~~\$45~~ \$80 for each initial license and each renewal; and
- 48.25 (10) ringside physicians, ~~\$45~~ \$80 for each initial license and each renewal.

48.26 In addition to the license fee and the late filing penalty fee in section 341.32, subdivision  
48.27 2, if applicable, an individual who applies for a professional license on the same day the  
48.28 combative sporting event is held shall pay a late fee of \$100 plus the original license fee of  
48.29 ~~\$45~~ \$120 at the time the application is submitted.

48.30 (b) The fee schedule for amateur licenses issued by the commissioner is as follows:

- 48.31 (1) referees, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.32 (2) promoters, ~~\$400~~ \$700 for each initial license and each renewal;
- 48.33 (3) judges and knockdown judges, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.34 (4) trainers, ~~\$45~~ \$80 for each initial license and each renewal;
- 48.35 (5) ring announcers, ~~\$45~~ \$80 for each initial license and each renewal;



- 49.1 (6) seconds, ~~\$45~~ \$80 for each initial license and each renewal;
- 49.2 (7) timekeepers, ~~\$45~~ \$80 for each initial license and each renewal;
- 49.3 (8) combatant, ~~\$25~~ \$60 for each initial license and each renewal;
- 49.4 (9) managers, ~~\$45~~ \$80 for each initial license and each renewal; and
- 49.5 (10) ringside physicians, ~~\$45~~ \$80 for each initial license and each renewal.

49.6 (c) The commissioner shall establish a contest fee for each combative sport contest.

49.7 The professional combative sport contest fee is \$1,500 per event or not more than four

49.8 percent of the gross ticket sales, whichever is greater, as determined by the commissioner

49.9 when the combative sport contest is scheduled, ~~except that~~ the amateur combative sport

49.10 contest fee shall be ~~\$500~~ \$1,500 or not more than four percent of the gross ticket sales,

49.11 whichever is greater. The commissioner shall consider the size and type of venue when

49.12 establishing a contest fee. The commissioner may establish the maximum number

49.13 of complimentary tickets allowed for each event by rule. A professional or amateur

49.14 combative sport contest fee is nonrefundable.

49.15 (d) All fees and penalties collected by the commissioner must be deposited in the

49.16 commissioner account in the special revenue fund.

49.17 **Sec. 44. JOB-BASED EDUCATION AND APPRENTICESHIP PROGRAM**

49.18 **(JEAP) FOR MANUFACTURING INDUSTRIES.**

49.19 Subdivision 1. **Creation.** The commissioner of labor and industry, in collaboration

49.20 with the Board of Trustees of the Minnesota State Colleges and Universities (MnSCU)

49.21 and employers, shall develop JEAP for manufacturing industries that integrates academic

49.22 instruction and job-related learning in the workplace and through MnSCU institutions.

49.23 The commissioner shall actively recruit participants in JEAP, through the Web-based hub

49.24 created in subdivision 4 and other means, from the following groups: secondary and

49.25 postsecondary school systems; individuals with disabilities; dislocated workers; retired

49.26 and disabled veterans; individuals enrolled in MFIP under Minnesota Statutes, chapter

49.27 256J; minorities; previously incarcerated individuals; individuals residing in labor surplus

49.28 areas as defined by the United States Department of Labor; and any other disadvantaged

49.29 group as determined by the commissioner.

49.30 Subd. 2. **Definitions.** (a) For the purposes of this section, the terms defined in this

49.31 subdivision have the meanings given them.

49.32 (b) "Board of Trustees of the Minnesota State Colleges and Universities" has the

49.33 meaning given in Minnesota Statutes, section 136F.01.

49.34 (c) "Commissioner" means the commissioner of labor and industry.

50.1 (d) "Employer" means a skilled manufacturing employer within the state who enters  
50.2 into the agreements with MnSCU and the commissioner of labor under subdivisions 4 to 6.

50.3 (e) "Hub" or "the hub" means the Web-based listing of skilled manufacturing jobs  
50.4 under subdivision 3.

50.5 (f) "MnSCU institution" means the local college or university providing instruction  
50.6 to the participant.

50.7 (g) "Participant" means an employee who:

50.8 (1) enters into a JEAP participation agreement under subdivision 6; and

50.9 (2) is successfully admitted to a MnSCU institution, if applicable.

50.10 (h) "Related instruction" means classroom instruction or technical or vocational  
50.11 training required to perform the duties of the skilled manufacturing job.

50.12 (i) "Skilled manufacturing" means occupations in manufacturing industry sectors 31  
50.13 to 33 as defined by the North American Industry Classification System (NAICS).

50.14 Subd. 3. **Job-seekers hub.** (a) The commissioner shall develop a centralized  
50.15 Web-based skilled manufacturing job-seekers hub that matches the needs of employers  
50.16 with job seekers.

50.17 (b) An employer may advertise a JEAP or other job opportunity on the hub if the  
50.18 employer:

50.19 (1) collaborates with a MnSCU institution to assist with the development of any  
50.20 necessary classroom instruction or technical or vocational training that may be required to  
50.21 perform the duties of the skilled manufacturing job;

50.22 (2) collaborates with the commissioner of labor and industry to create a JEAP under  
50.23 subdivision 4;

50.24 (3) abides by the terms of the JEAP employer agreement under subdivision 4; and

50.25 (4) employs the participant under the terms of a JEAP participation agreement under  
50.26 subdivision 5 for the duration of the modified apprenticeship program and, assuming  
50.27 successful completion, makes reasonable efforts to continue to employ the participant as a  
50.28 regular employee.

50.29 (c) Job seekers seeking skilled manufacturing jobs advertised on the hub agree to  
50.30 abide by the terms of the JEAP participation agreement under subdivision 5.

50.31 (d) The Board of Trustees of MnSCU and MnSCU institutions shall provide  
50.32 information for the hub describing the related instruction component of JEAP through  
50.33 data exchange.

50.34 Subd. 4. **JEAP employer agreement.** (a) The commissioner, eligible employer,  
50.35 and MnSCU institution shall enter into a JEAP employer agreement that is specific to the  
50.36 identified manufacturing training needs of an employer.

51.1 (b) The agreement must contain the following:

51.2 (1) the name of the employer;

51.3 (2) a statement showing the number of hours to be spent by a participant in work and  
51.4 the number of hours to be spent, if any, in concurrent, supplementary instruction in related  
51.5 subjects. The maximum number of hours of work per week, not including time spent in  
51.6 related instruction, for any participant shall not exceed either the number prescribed by  
51.7 law or the customary regular number of hours per week for the employees of the company  
51.8 by which the participant is employed. A participant may be allowed to work overtime  
51.9 provided that the overtime work does not conflict with supplementary instruction course  
51.10 attendance. All time spent by the participant in excess of the number of hours of work per  
51.11 week as specified in the JEAP participation agreement shall be considered overtime;

51.12 (3) a statement showing the schedule of wages that a participant will earn, including  
51.13 a probationary period, if any;

51.14 (4) an explanation of how the employer agreement or participant agreement may  
51.15 be terminated;

51.16 (5) a statement setting forth a schedule of the processes in the occupation in which  
51.17 the participant is to be trained and the approximate time to be spent at each process;

51.18 (6) a statement by the MnSCU institution and the employer describing the related  
51.19 instruction that will be offered, if any, under subdivision 6, paragraph (c); and

51.20 (7) any other provision the commissioner deems necessary to carry out the purposes  
51.21 of this section.

51.22 Subd. 5. **JEAP participation agreement.** (a) The commissioner, the prospective  
51.23 participant, and the employer shall enter into a JEAP participation agreement that is  
51.24 specific to the manufacturing training to be provided to the participant.

51.25 (b) The participation agreement must contain the following:

51.26 (1) the name of the employer;

51.27 (2) the name of the participant;

51.28 (3) a statement setting forth a schedule of the processes of the occupation in which  
51.29 the participant is to be trained and the approximate time to be spent at each process;

51.30 (4) a description of any related instruction;

51.31 (5) a statement showing the number of hours to be spent by a participant in work and  
51.32 the number of hours to be spent, if any, in concurrent, supplementary instruction in related  
51.33 subjects. The maximum number of hours of work per week, not including time spent in  
51.34 related instruction, for any participant shall not exceed either the number prescribed by  
51.35 law or the customary regular number of hours per week for the employees of the company  
51.36 by which the participant is employed. A participant may be allowed to work overtime

52.1 provided that the overtime work does not conflict with supplementary instruction course  
52.2 attendance. All time spent by the participant in excess of the number of hours of work per  
52.3 week as specified in the JEAP participation agreement shall be considered overtime;

52.4 (6) a statement showing the schedule of wages that a participant will earn, including  
52.5 a probationary period, if any; and

52.6 (7) an explanation of how the parties may terminate the participation agreement.

52.7 (c) If a JEAP participation agreement meets the requirements of Minnesota  
52.8 Statutes, section 178.07, the commissioner may approve the participation agreement  
52.9 as an apprenticeship agreement.

52.10 (d) The commissioner may periodically review the adherence to the terms of  
52.11 the JEAP participation agreement. If the commissioner determines that an employer  
52.12 or participant has failed to comply with the terms of a participation agreement, the  
52.13 commissioner shall terminate the participation agreement.

52.14 Subd. 6. **MnSCU instruction.** (a) MnSCU institutions shall collaborate with  
52.15 employers to provide related instruction which the employer deems necessary to instruct  
52.16 participants of JEAP. The related instruction provided must be, for the purposes of this  
52.17 section, career-level, as negotiated by the commissioner and the MnSCU institution. The  
52.18 related instruction may be for credit or noncredit, and credit earned may be transferable to  
52.19 a degree program, as determined by the MnSCU institution.

52.20 (b) The commissioner, in conjunction with the MnSCU institution, shall issue a  
52.21 certificate of completion to a participant who completes all required components of the  
52.22 JEAP participation agreement.

52.23 (c) As part of the JEAP, an employer shall collaborate with a MnSCU institution for  
52.24 any related instruction required to perform the skilled manufacturing job. The employer  
52.25 agreement shall include:

52.26 (1) a detailed explanation of the related instruction; and

52.27 (2) the number of hours of related instruction needed to receive a certificate of  
52.28 completion.

52.29 (d) Before entering into a JEAP participation agreement under subdivision 6, a  
52.30 prospective participant must enroll in the MnSCU institution at which the required  
52.31 instruction will occur. Acceptance into JEAP does not guarantee enrollment as a  
52.32 degree-seeking student in good standing at a MnSCU institution. The MnSCU institution  
52.33 may modify admission procedures and requirements for participants applying for JEAP  
52.34 under this section.

52.35 Subd. 7. **Expiration.** JEAP does not expire unless jointly agreed to by both the  
52.36 Board of Trustees of MnSCU and the commissioner.

53.1 Sec. 45. **IMPLEMENTATION; REPORT.**

53.2 The commissioner shall implement JEAP for manufacturing industries under  
53.3 Minnesota Statutes, section 178A.10, at Century College, Alexandria Technical and  
53.4 Community College, Hennepin Technical College, and Central Lakes College. By January  
53.5 15, 2015, the commissioner and the Board of Trustees of MnSCU, in conjunction with  
53.6 each MnSCU institution listed in this section, shall report to the legislative committees  
53.7 with jurisdiction over jobs. The report must address the progress and success of the  
53.8 implementation of JEAP at each individual MnSCU institution listed in this section. The  
53.9 report must give recommendations on where JEAP should next be implemented, taking  
53.10 into consideration all current and potential manufacturing training providers available.

53.11 Sec. 46. **REPEALER.**

53.12 (a) Minnesota Statutes 2012, sections 326B.31, subdivisions 18, 19, and 22; and  
53.13 326B.978, subdivision 4, are repealed.

53.14 (b) Minnesota Rules, parts 1307.0032; 3800.3520, subpart 5, items C and D; and  
53.15 3800.3602, subpart 2, item B, subitems (5) and (6), are repealed.

53.16 **ARTICLE 3**53.17 **EMPLOYMENT, ECONOMIC DEVELOPMENT, AND**  
53.18 **WORKFORCE DEVELOPMENT**53.19 Section 1. **[116J.013] COST-OF-LIVING STUDY; ANNUAL REPORT.**

53.20 (a) The commissioner shall conduct an annual cost-of-living study in Minnesota.

53.21 The study shall include:

53.22 (1) a calculation of the statewide basic needs cost of living, adjusted for family size;

53.23 (2) a calculation of the basic needs cost of living, adjusted for family size, for each  
53.24 county;

53.25 (3) an analysis of statewide and county cost-of-living data, employment data, and  
53.26 job vacancy data; and

53.27 (4) recommendations to aid in the assessment of employment and economic  
53.28 development planning needs throughout the state.

53.29 (b) The commissioner shall report on the cost-of-living study and recommendations  
53.30 by February 1 of each year to the governor and to the chairs of the standing committees  
53.31 of the house of representatives and the senate having jurisdiction over employment and  
53.32 economic development issues.

54.1       Sec. 2. [116J.4011] LABOR MARKET INFORMATION DATA PRODUCTION  
54.2 REQUIREMENT.

54.3       (a) As part of the commissioner's obligation under section 116J.401, the  
54.4 commissioner must, in collaboration with the Office of Higher Education and local  
54.5 workforce center boards, publish labor market analysis supply and demand reports,  
54.6 statewide and by region. The supply and demand reports must:

54.7       (1) identify the state and regional industry sectors and occupations with the highest  
54.8 current and projected job growth;

54.9       (2) identify top job vacancies by state and regional industry sectors and occupations;

54.10      (3) provide information on the education attainment of the current state and regional  
54.11 workforce;

54.12      (4) identify the expected number of graduates in industry-recognized credential and  
54.13 degree programs by career field;

54.14      (5) identify the completion rate and average debt per student of industry-recognized  
54.15 credential and degree programs by career field;

54.16      (6) identify higher education institutions offering industry-recognized credential and  
54.17 degree programs in high job-growth career fields;

54.18      (7) make projections on future state and regional job growth by education level; and

54.19      (8) utilize employer surveys to identify the credentials and skills needed for  
54.20 employment in high job-growth occupations.

54.21      (b) The statewide report and regional reports shall each present side-by-side  
54.22 comparisons of:

54.23      (1) new job growth and total job openings by education level compared with  
54.24 educational attainment levels of current workforce;

54.25      (2) current and projected top high-growth, high-pay industries by number of new  
54.26 jobs and median salaries compared with top annual graduates by major or credential; and

54.27      (3) top job vacancies requiring some postsecondary credential. Each of these  
54.28 vacancies should be directly linked to information about what credentials are required,  
54.29 where in the state and region those credentials can be obtained, the completion and  
54.30 credential attainment rate of each of those credential programs, the average debt per  
54.31 student who attains each credential, and median wages for the job vacancy.

54.32      (c) Reports required by this section must be regularly reviewed by regional  
54.33 employers and educators to ensure accuracy.

54.34      (d) Reports required by this section must be easily accessible, easily readable, and  
54.35 prominently presented on the Department of Employment and Economic Development  
54.36 Web site and Web sites of workforce centers.

55.1 Sec. 3. Minnesota Statutes 2012, section 116J.8731, subdivision 2, is amended to read:

55.2 Subd. 2. **Administration.** Except as otherwise provided in this section, the  
55.3 commissioner shall administer the fund as part of the Small Cities Development Block  
55.4 Grant Program; and funds shall be made available to local communities and recognized  
55.5 Indian tribal governments in accordance with the rules adopted for economic development  
55.6 grants in the small cities community development block grant program, except that.  
55.7 All units of general purpose local government are eligible applicants for Minnesota  
55.8 investment funds. The commissioner may provide forgivable loans directly to a private  
55.9 enterprise and not require a local community or recognized Indian tribal government  
55.10 application other than a resolution supporting the assistance. Eligible applicants for the  
55.11 state-funded portion of the fund also include development authorities as defined in section  
55.12 116J.552, subdivision 4, provided that the governing body of the municipality approves,  
55.13 by resolution, the application of the development authority. The commissioner may also  
55.14 make funds available within the department for eligible expenditures under subdivision 3,  
55.15 clause (2). A home rule charter or statutory city, county, or town may loan or grant money  
55.16 received from repayment of funds awarded under this section to a regional development  
55.17 commission, other regional entity, or statewide community capital fund as determined by  
55.18 the commissioner, to capitalize or to provide the local match required for capitalization of  
55.19 a regional or statewide revolving loan fund.

55.20 Sec. 4. Minnesota Statutes 2012, section 116J.8731, subdivision 3, is amended to read:

55.21 Subd. 3. **Eligible expenditures.** The money appropriated for this section may  
55.22 be used to:

55.23 (1) fund loans or grants for infrastructure, loans, loan guarantees, interest buy-downs,  
55.24 and other forms of participation with private sources of financing, provided that a loan to  
55.25 a private enterprise must be for a principal amount not to exceed one-half of the cost of  
55.26 the project for which financing is sought;

55.27 (2) fund strategic investments in renewable energy market development, such as  
55.28 low interest loans for renewable energy equipment manufacturing, training grants to  
55.29 support renewable energy workforce, development of a renewable energy supply chain  
55.30 that represents and strengthens the industry throughout the state, and external marketing  
55.31 to garner more national and international investment into Minnesota's renewable sector.  
55.32 Expenditures in external marketing for renewable energy market development are not  
55.33 subject to the limitations in clause (1); and

55.34 (3) provide private entrepreneurs with training, other technical assistance, and  
55.35 financial assistance, as provided in the small cities development block grant program.

56.1 Sec. 5. Minnesota Statutes 2012, section 116J.8731, subdivision 8, is amended to read:

56.2 Subd. 8. **Disaster contingency account; repayments.** There is created a Minnesota  
 56.3 investment fund disaster contingency account in the special revenue fund. Repayment of  
 56.4 loan amounts to the local government unit or development authority under this section  
 56.5 shall be forwarded to the commissioner and deposited in the disaster contingency account  
 56.6 in the Minnesota investment fund to be appropriated by law for future disaster relief.

56.7 Sec. 6. Minnesota Statutes 2012, section 116J.8731, subdivision 9, is amended to read:

56.8 Subd. 9. **Requirements for assistance.** (a) All awards under section 12A.07 are  
 56.9 subject to the following requirements in this subdivision.

56.10 ~~(a) Eligible applicants include the following:~~

56.11 (b) Eligible applicants are subject to the following requirements:

56.12 (1) Applicants may be any business or nonprofit organization in the area included  
 56.13 in the disaster declaration that was directly and adversely affected by the disaster. This  
 56.14 includes: businesses, cooperatives, utilities, industrial, commercial, retail, and nonprofit  
 56.15 organizations, including those nonprofits that provide residential, health care, child care,  
 56.16 social, or other services on behalf of the Department of Human Services to residents  
 56.17 included in the disaster area.

56.18 (2) Business applicants must be organized as a proprietorship, partnership, LLC, or  
 56.19 a corporation.

56.20 (3) Applicants must have been in operation before the date of the disaster.

56.21 ~~(b) Eligible activities:~~ (c) Loan funds may be used to assist businesses only in their  
 56.22 recovery efforts but are not available to provide relief from economic losses.

56.23 ~~(e) Eligible costs:~~ (d) Eligible costs may include the following: repair of buildings,  
 56.24 leasehold improvements, fixtures and/or equipment, loss of inventory, and cleanup costs.

56.25 ~~(d) (e) Ineligible activities include all of the following:~~

56.26 (1) ~~Ineligible applicants:~~ Any applicants not meeting the eligibility requirements  
 56.27 outlined in this subdivision are ineligible to receive recovery loan funds.

56.28 (2) ~~Ineligible activities:~~ Funds may not be used for lending or investment operations,  
 56.29 land speculation, or any activity deemed illegal by federal, state, or local law or ordinance.

56.30 (3) ~~Ineligible costs:~~ Ineligible costs include but are not limited to: economic injury  
 56.31 losses, relocation, management fees, financing costs, franchise fees, debt consolidation,  
 56.32 moving costs, refinancing debt existing prior to the date of the disaster, and operating costs.

56.33 ~~(e) (f) Loan application:~~

56.34 ~~(1) Application process:~~ All parties seeking recovery loan funds must file an  
 56.35 application with the local unit of government or development authority. Small Business



57.1 Administration (SBA) application forms may be used. Applications must be transmitted  
57.2 in the form and manner prescribed by the commissioner.

57.3 ~~(f) Application information.~~ (g) Only completed applications will be reviewed for  
57.4 consideration. Submittal of the following information constitutes a complete application:

57.5 (1) Minnesota investment fund recovery loan fund application;

57.6 (2) business SBA disaster application, if applicable;

57.7 (3) regional development organization or responsible local government application,  
57.8 if applicable;

57.9 (4) administrative contact;

57.10 (5) business release for local government to review SBA damage assessment/loss  
57.11 verification, if applicable;

57.12 (6) proof of loss statement from insurer;

57.13 (7) construction cost estimates;

57.14 (8) invoices for work completed;

57.15 (9) quotes for equipment;

57.16 (10) proposed security;

57.17 (11) company historical financial statements for the 24 months immediately prior to  
57.18 the application date;

57.19 (12) credit check release;

57.20 (13) number of jobs to be retained;

57.21 (14) wages paid;

57.22 (15) amount of loan request;

57.23 (16) documentation of damages incurred;

57.24 (17) property taxes paid and current;

57.25 (18) judgments, liens, agreements, consent decrees, stipulations for settlements, or

57.26 other such actions which would prevent the applicant from participating in any program

57.27 administered by the responsible local, state, or regional government;

57.28 (19) compliance with all applicable local ordinances and plans;

57.29 (20) documentation through financial and tax records that the business was a viable  
57.30 operating entity at the time of the flood;

57.31 (21) business tax identification number; and

57.32 (22) other documentation as requested.

57.33 ~~(g)~~ (h) Incomplete applications will be assigned pending status and the applicant  
57.34 will be informed in writing of the missing documentation.

57.35 ~~(h) Determination of eligibility.~~ (i) Applicant eligibility will be determined using  
57.36 criteria enumerated in paragraph ~~(a)~~ (b). A credit check for the company and each of its

58.1 principal owners may be conducted. An owner's encumbrance report will be completed  
58.2 by the Recorder's Office.

58.3 (j) A grant recipient is eligible for assistance provided under this section only after the  
58.4 recipient has claimed all applicable private insurance and the recipient has utilized all other  
58.5 sources of applicable assistance available under the act appropriating funding for the grant.

58.6 **Sec. 7. [116J.8748] MINNESOTA JOB CREATION FUND.**

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

58.9 (b) "Agreement" or "business subsidy agreement" means a business subsidy  
58.10 agreement under section 116J.994 that must include, but is not limited to: specification  
58.11 of the duration of the agreement, job goals and a timeline for achieving those goals over  
58.12 the duration of the agreement, construction and other investment goals and a timeline for  
58.13 achieving those goals over the duration of the agreement, and the value of benefits the  
58.14 firm may receive following achievement of construction and employment goals. The local  
58.15 government and business must report to the commissioner on the business performance  
58.16 using the forms developed by the commissioner.

58.17 (c) "Business" means an individual, corporation, partnership, limited liability  
58.18 company, association, or other entity.

58.19 (d) "Capital investment" means money that is expended for the purpose of building  
58.20 or improving real fixed property where employees under paragraphs (g) and (h) are or will  
58.21 be employed and also includes construction materials, services, and supplies.

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

58.24 (f) "Minnesota job creation fund business" means a business that is designated  
58.25 by the commissioner under subdivision 3.

58.26 (g) "New full-time employee" means an employee who:

58.27 (1) begins work at a Minnesota job creation fund business facility noted in a business  
58.28 subsidy agreement and following the designation as a job creation fund business; and

58.29 (2) has expected work hours of at least 2,080 hours annually.

58.30 (h) "Retained job" means a full-time position:

58.31 (1) that existed at the facility prior to the designation as a job creation fund business;

58.32 and

58.33 (2) has expected work hours of at least 2,080 hours annually.

58.34 (i) "Wages" has the meaning given in section 290.92, subdivision 1, clause (1).

59.1 Subd. 2. **Application.** (a) In order to qualify for designation as a Minnesota job  
59.2 creation fund business under subdivision 3, a business must submit an application to the  
59.3 local government entity where the facility is or will be located.

59.4 (b) A local government must submit the business application along with other  
59.5 application materials to the commissioner for approval.

59.6 (c) The applications required under paragraphs (a) and (b) must be in the form and  
59.7 be made under the procedures specified by the commissioner.

59.8 Subd. 3. **Minnesota job creation fund business designation; requirements.** (a)  
59.9 To receive designation as a Minnesota job creation fund business, a business must satisfy  
59.10 all of the following conditions:

59.11 (1) the business is or will be engaged in, within Minnesota, one of the following  
59.12 as its primary business activity:

59.13 (i) manufacturing;

59.14 (ii) warehousing;

59.15 (iii) distribution;

59.16 (iv) information technology;

59.17 (v) finance;

59.18 (vi) insurance; or

59.19 (vii) professional or technical services;

59.20 (2) the business must not be primarily engaged in lobbying, gambling, entertainment,  
59.21 professional sports, political consulting, leisure, hospitality, or professional services  
59.22 provided by attorneys, accountants, business consultants, physicians, or health care  
59.23 consultants, or primarily engaged in making retail sales to purchasers who are physically  
59.24 present at the business's location;

59.25 (3) the business must enter into a binding construction and job creation business  
59.26 subsidy agreement with the commissioner to expend at least \$500,000 in capital  
59.27 investment in a construction project that includes a new, expanded, or remodeled facility  
59.28 within one year following designation as a Minnesota job creation fund business and:

59.29 (i) create at least ten new full-time employee positions within two years of the  
59.30 benefit date following the designation as a Minnesota job creation fund business; or

59.31 (ii) expend at least \$25,000,000 in capital investment and retain at least 50 employees;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

60.31 Subd. 4. **Certification; benefits.** (a) The commissioner may certify a Minnesota job  
60.32 creation fund business as eligible to receive a specific value of benefit under paragraphs  
60.33 (b) and (c) when the business has achieved its job creation and construction goals noted in  
60.34 its agreement under subdivision 3.

60.35 (b) A qualified Minnesota job creation fund business may be certified eligible for the  
60.36 benefits in this paragraph for up to five years for projects located in the metropolitan area

61.1 as defined in section 200.02, subdivision 24, and seven years for projects located outside  
61.2 the metropolitan area, as determined by the commissioner when considering the best  
61.3 interests of the state and local area. The eligibility for the following benefits begins the  
61.4 date the commissioner certifies the business as a qualified Minnesota job creation fund  
61.5 business under this subdivision:

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

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

61.12 (3) up to \$1,000,000 in capital investment rebates and \$1,000,000 in job creation  
61.13 awards for projects that have at least \$25,000,000 in capital investment and 200 new  
61.14 employees; and

61.15 (4) up to \$1,000,000 in capital investment rebates for projects that have at least  
61.16 \$25,000,000 in capital investment and 50 retained employees.

61.17 (c) The job creation award may be provided in multiple years as long as the qualified  
61.18 Minnesota job creation fund business continues to meet the job creation goals provided  
61.19 for in its agreement under subdivision 3 and the total award does not exceed \$500,000  
61.20 except as provided under paragraph (b), clauses (3) and (4).

61.21 (d) No rebates or award may be provided until the Minnesota job creation fund  
61.22 business has at least \$500,000 in capital investment in the project and at least ten full-time  
61.23 jobs have been created and maintained for at least one year or the retained employees, as  
61.24 provided in paragraph (b), clause (4), remain for at least one year. The agreement may  
61.25 require additional performance outcomes that need to be achieved before rebates and  
61.26 awards are provided. If fewer retained jobs are maintained, but still above the minimum  
61.27 under this subdivision, the capital investment award shall be reduced on a proportionate  
61.28 basis.

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

61.34 (f) Minnesota job creation fund businesses must pay each new full-time employee  
61.35 added pursuant to the agreement total compensation, including benefits not mandated by

62.1 law, that on an annualized basis is equal to at least 110 percent of the federal poverty  
62.2 level for a family of four.

62.3 (g) A Minnesota job creation fund business must demonstrate reasonable progress  
62.4 on its capital investment expenditures within six months following designation as a  
62.5 Minnesota job creation fund business to ensure that the capital investment goal in the  
62.6 agreement under subdivision 1 will be met. The commissioner may determine that  
62.7 a business not making reasonable progress will not be eligible for benefits under the  
62.8 submitted application and will need to work with the local government unit to submit a  
62.9 new application and request to be a Minnesota job creation fund business. Notwithstanding  
62.10 any six-month goals noted in its agreement under subdivision 1, this action shall not be  
62.11 considered a default of the business subsidy agreement.

62.12 Subd. 5. **Capital investment rebate.** (a) A qualified Minnesota job creation fund  
62.13 business is eligible for a rebate on the purchase and use of construction materials, services,  
62.14 and supplies used for or consumed in the construction project as described in the goals  
62.15 under the agreement provided under subdivision 1, paragraph (b).

62.16 (b) The rebate under this subdivision applies regardless of whether the purchases are  
62.17 made by the qualified Minnesota job creation fund business or a contractor hired to perform  
62.18 work or provide services at the qualified Minnesota job creation fund business location.

62.19 (c) Minnesota job creation fund businesses seeking the rebate for capital investment  
62.20 provided under subdivision 4 must submit forms and applications to the Department of  
62.21 Employment and Economic Development as prescribed by the commissioner of each  
62.22 department.

62.23 Subd. 6. **Job creation award.** (a) A qualified Minnesota job creation fund business  
62.24 is eligible for an annual award for each new job created and maintained by the business  
62.25 using the following schedule: \$1,000 for each job position paying annual wages at least  
62.26 \$26,000 but less than \$35,000; \$2,000 for each job position paying at least \$35,000 but  
62.27 less than \$45,000; and \$3,000 for each job position paying at least \$45,000; and as noted  
62.28 in the goals under the agreement provided under subdivision 1.

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

62.31 (c) Minnesota job creation fund businesses seeking an award credit provided under  
62.32 subdivision 4 must submit forms and applications to the Department of Employment and  
62.33 Economic Development as prescribed by the commissioner.

62.34 **EFFECTIVE DATE.** This section is effective January 1, 2014.

62.35 Sec. 8. **[116J.9661] TRADE POLICY ADVISORY GROUP.**

63.1 Subdivision 1. **Establishment.** A trade policy advisory group is established to  
63.2 advise and assist the governor and the legislature regarding government procurement  
63.3 agreements of United States trade agreements.

63.4 Subd. 2. **Membership.** (a) The trade policy advisory group shall be appointed by  
63.5 the governor and comprised of 12 members as follows:

63.6 (1) two representatives of organized labor;

63.7 (2) a representative of an organization representing environmental interests;

63.8 (3) a representative of organizations representing family farmers;

63.9 (4) two representatives from business and industry;

63.10 (5) a representative of a nonprofit organization focused on international trade and  
63.11 development;

63.12 (6) the commissioner of employment and economic development or the  
63.13 commissioner's designee;

63.14 (7) two senators, including one member from the majority party and one member  
63.15 from the minority party, appointed by the Subcommittee on Committees of the Committee  
63.16 on Rules and Administration of the senate; and

63.17 (8) two members of the house of representatives, including one member appointed  
63.18 by the speaker of the house and one member appointed by the minority leader.

63.19 (b) Members of the trade policy advisory group shall serve for a term of two years  
63.20 and may be reappointed. Members shall serve until their successors have been appointed.

63.21 (c) The trade policy advisory group may invite representatives from other state  
63.22 agencies, industries, trade and labor organizations, nongovernmental organizations, and  
63.23 local governments to join the group as nonvoting ex officio members.

63.24 Subd. 3. **Administration.** (a) The commissioner of employment and economic  
63.25 development or the commissioner's designee shall:

63.26 (1) coordinate with the other appointing authorities to designate their representatives;  
63.27 and

63.28 (2) provide meeting space and administrative services for the group.

63.29 (b) The members shall elect a chair from the legislative members of the working  
63.30 group. The chair will assume responsibility for convening future meetings of the group.

63.31 (c) Public members of the advisory group serve without compensation or payment of  
63.32 expenses.

63.33 Subd. 4. **Duties.** The trade policy advisory group shall:

63.34 (1) serve as an advisory group to the governor and the legislature on matters relating  
63.35 to government procurement agreements of United States trade agreements;

64.1 (2) assess the potential impact of government procurement agreements on the state's  
 64.2 economy;

64.3 (3) advise the governor and the legislature of the group's findings and make  
 64.4 recommendations, including any draft legislation necessary to implement the  
 64.5 recommendations, to the governor and the legislature;

64.6 (4) determine, on a case-by-case basis, the impact of a specific government  
 64.7 procurement agreement by requesting input from state agencies, seeking expert advice,  
 64.8 convening public hearings, and taking other reasonable and appropriate actions;

64.9 (5) provide advice on other issues related to trade agreements other than government  
 64.10 procurement agreements when specifically requested by the governor or the legislature;

64.11 (6) request information from the Office of the United States Trade Representative  
 64.12 necessary to conduct an appropriate review of government procurement agreements or  
 64.13 other trade issues as directed by the governor or the legislature; and

64.14 (7) receive information obtained by the United States Trade Representative's single  
 64.15 point of contact for Minnesota.

64.16 Subd. 5. **Report.** The trade policy advisory group shall issue a report to the  
 64.17 legislature with its findings and recommendations no less than once per fiscal year.

64.18 Sec. 9. **[116J.978] MINNESOTA TRADE OFFICES IN FOREIGN MARKETS.**

64.19 (a) The commissioner of employment and economic development shall establish  
 64.20 three new Minnesota Trade Offices in key foreign markets selected for their potential to  
 64.21 increase Minnesota exports and attract foreign direct investment.

64.22 (b) The commissioner shall establish a performance rating system for the new offices  
 64.23 established under this section and create specific annual goals for the offices to meet. The  
 64.24 commissioner shall monitor activities of the office, including, but not limited to, the number  
 64.25 of inquiries and projects received and completed, meetings arranged between Minnesota  
 64.26 companies and potential investors, distributors, or customers, and agreements signed.

64.27 Sec. 10. **[116J.979] MINNESOTA STEP GRANTS.**

64.28 Subdivision 1. **Establishment.** The commissioner of employment and economic  
 64.29 development shall create a State Trade and Export Promotion grants program, hereafter  
 64.30 STEP grants, to provide financial and technical assistance to eligible Minnesota small  
 64.31 businesses with an active interest in exporting products or services to foreign markets.

64.32 Subd. 2. **Grants.** Recipients may apply, on an application devised by the  
 64.33 commissioner, for up to \$7,500 in reimbursement for approved export-development  
 64.34 activities, including, but not limited to:



- 65.1 (1) participation in trade missions;  
 65.2 (2) export training;  
 65.3 (3) exhibition at trade shows or industry-specific events;  
 65.4 (4) translation of marketing materials;  
 65.5 (5) development of foreign language Web sites, Gold Key, or other business  
 65.6 matchmaking services;  
 65.7 (6) company-specific international sales activities; and  
 65.8 (7) testing and certification required to sell products in foreign markets.

65.9 Sec. 11. **[116J.9801] INVEST MINNESOTA.**

65.10 The commissioner shall establish the Invest Minnesota marketing initiative. This  
 65.11 initiative must focus on branding the state's economic development initiatives and  
 65.12 promoting Minnesota business opportunities. The initiative may include measures to  
 65.13 communicate the benefits of doing business in Minnesota to companies considering  
 65.14 relocating, establishing a United States presence, or expanding.

65.15 Sec. 12. **[116L.191] WORKFORCE CENTER; CREDENTIAL ASSISTANCE.**

65.16 (a) The commissioner shall provide at local workforce centers services that  
 65.17 assist individuals in identifying and obtaining industry-recognized credentials for jobs,  
 65.18 particularly jobs in high demand. The workforce centers must consult and cooperate  
 65.19 with training institutions, particularly postsecondary institutions, to identify credential  
 65.20 programs to individuals.

65.21 (b) Each workforce center shall provide information under section 116J.4011,  
 65.22 paragraph (b), clause (3), linked as a shortcut from the desktop of each workforce center  
 65.23 computer and available in hard copy. Prominent signs should be posted in workforce  
 65.24 centers directing individuals to where they can find a list of top job vacancies and related  
 65.25 credential information.

65.26 Sec. 13. Minnesota Statutes 2012, section 116U.26, is amended to read:

65.27 **116U.26 FILM PRODUCTION JOBS PROGRAM.**

65.28 (a) The film production jobs program is created. The program shall be operated  
 65.29 by the Minnesota Film and TV Board with administrative oversight and control by the  
 65.30 commissioner of ~~administration~~ employment and economic development. The program  
 65.31 shall make payment to producers of feature films, national television or Internet programs,  
 65.32 documentaries, music videos, and commercials that directly create new film jobs in  
 65.33 Minnesota. To be eligible for a payment, a producer must submit documentation to the

66.1 Minnesota Film and TV Board of expenditures for production costs incurred in Minnesota  
66.2 that are directly attributable to the production in Minnesota of a film product.

66.3 The Minnesota Film and TV Board shall make recommendations to the  
66.4 commissioner of ~~administration~~ employment and economic development about program  
66.5 payment, but the commissioner has the authority to make the final determination on  
66.6 payments. The commissioner's determination must be based on proper documentation of  
66.7 eligible production costs submitted for payments. No more than five percent of the funds  
66.8 appropriated for the program in any year may be expended for administration, including  
66.9 costs for independent audits and financial reviews of projects.

66.10 (b) For the purposes of this section:

66.11 (1) "production costs" means the cost of the following:

66.12 (i) a story and scenario to be used for a film;

66.13 (ii) salaries of talent, management, and labor, including payments to personal  
66.14 services corporations for the services of a performing artist;

66.15 (iii) set construction and operations, wardrobe, accessories, and related services;

66.16 (iv) photography, sound synchronization, lighting, and related services;

66.17 (v) editing and related services;

66.18 (vi) rental of facilities and equipment; ~~or~~

66.19 (vii) other direct costs of producing the film in accordance with generally accepted  
66.20 entertainment industry practice; ~~and~~

66.21 (viii) above-the-line talent fees for nonresident talent; or

66.22 (ix) costs incurred during postproduction; and

66.23 (2) "film" means a feature film, television or Internet ~~show~~, pilot, program, series,

66.24 documentary, music video, or television commercial, whether on film, video, or digital

66.25 media. Film does not include news, current events, public programming, or a program

66.26 that includes weather or market reports; a talk show; a production with respect to a

66.27 questionnaire or contest; a sports event or sports activity; a gala presentation or awards

66.28 show; a finished production that solicits funds; or a production for which the production

66.29 company is required under United States Code, title 18, section 2257, to maintain records

66.30 with respect to a performer portrayed in a single-media or multimedia program.

66.31 (c) Notwithstanding any other law to the contrary, the Minnesota Film and TV Board

66.32 may make reimbursements of: (1) up to ~~20~~ 25 percent of ~~film~~ production costs for films that

66.33 locate production outside the metropolitan area, as defined in section 473.121, subdivision

66.34 2, or that incur production costs in excess of \$5,000,000 ~~in the metropolitan area~~ within a

66.35 12-month period; or (2) up to ~~15~~ 20 percent of ~~film~~ production costs for films that incur

66.36 production costs of \$5,000,000 or less in the metropolitan area within a 12-month period.

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

67.2 Sec. 14. Minnesota Statutes 2012, section 136F.37, is amended to read:

67.3 **136F.37 JOB PLACEMENT IMPACT ON PROGRAM REVIEW;**  
67.4 **INFORMATION TO STUDENTS.**

67.5 Subdivision 1. **Colleges; technical occupational program.** The board must  
67.6 assess labor market data when conducting college program reviews. Colleges must  
67.7 provide prospective students with the job placement rate for graduates of technical and  
67.8 occupational programs offered at the colleges.

67.9 Subd. 2. **DEED labor market survey; MnSCU usage and disclosure.** The data  
67.10 assessed under subdivision 1 must include labor market data compiled by the Department  
67.11 of Employment and Economic Development under section 116J.4011. The board and its  
67.12 colleges and universities must use this market data when deciding upon course and program  
67.13 offerings. The board must provide a link to this labor market data on its Internet portal.

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

67.15 Sec. 15. Minnesota Statutes 2012, section 245.4712, subdivision 1, is amended to read:

67.16 Subdivision 1. **Availability of community support services.** (a) County boards  
67.17 must provide or contract for sufficient community support services within the county to  
67.18 meet the needs of adults with serious and persistent mental illness who are residents of the  
67.19 county. Adults may be required to pay a fee according to section 245.481. The community  
67.20 support services program must be designed to improve the ability of adults with serious  
67.21 and persistent mental illness to:

67.22 (1) ~~work in a regular or supported work environment~~ find and maintain competitive  
67.23 employment;

67.24 (2) handle basic activities of daily living;

67.25 (3) participate in leisure time activities;

67.26 (4) set goals and plans; and

67.27 (5) obtain and maintain appropriate living arrangements.

67.28 The community support services program must also be designed to reduce the  
67.29 need for and use of more intensive, costly, or restrictive placements both in number of  
67.30 admissions and length of stay.

67.31 (b) Community support services are those services that are supportive in nature and  
67.32 not necessarily treatment oriented, and include:

68.1 (1) conducting outreach activities such as home visits, health and wellness checks,  
68.2 and problem solving;

68.3 (2) connecting people to resources to meet their basic needs;

68.4 (3) finding, securing, and supporting people in their housing;

68.5 (4) attaining and maintaining health insurance benefits;

68.6 (5) assisting with job applications, finding and maintaining employment, and  
68.7 securing a stable financial situation;

68.8 (6) fostering social support, including support groups, mentoring, peer support, and  
68.9 other efforts to prevent isolation and promote recovery; and

68.10 (7) educating about mental illness, treatment, and recovery.

68.11 (c) Community support services shall use all available funding streams. The county  
68.12 shall maintain the level of expenditures for this program, as required under section  
68.13 245.4835. County boards must continue to provide funds for those services not covered  
68.14 by other funding streams and to maintain an infrastructure to carry out these services. The  
68.15 county is encouraged to fund evidence-based practices such as individual placement and  
68.16 support supported employment and illness management and recovery.

68.17 (d) The commissioner shall collect data on community support services programs,  
68.18 including, but not limited to, demographic information such as age, sex, race, the number  
68.19 of people served, and information related to housing, employment, hospitalization,  
68.20 symptoms, and satisfaction with services.

68.21 Sec. 16. Minnesota Statutes 2012, section 268A.13, is amended to read:

68.22 **268A.13 EMPLOYMENT SUPPORT SERVICES FOR PERSONS WITH**  
68.23 **MENTAL ILLNESS.**

68.24 The commissioner of employment and economic development, in cooperation  
68.25 with the commissioner of human services, shall develop a statewide program of grants  
68.26 as outlined in section 268A.14 to provide services for persons with mental illness who  
68.27 want to work in supported employment. Projects funded under this section must: (1)  
68.28 assist persons with mental illness in obtaining and retaining competitive employment; (2)  
68.29 emphasize individual ~~community placements for clients~~ client preferences; (3) ensure  
68.30 interagency collaboration at the local level between vocational rehabilitation field offices,  
68.31 county service agencies, community support programs operating under the authority of  
68.32 section 245.4712, and community rehabilitation providers, in assisting clients; (4) ensure  
68.33 services are integrated with mental health treatment; (5) provide benefits counseling;  
68.34 (6) conduct rapid job search; and ~~(4)~~ (7) involve clients in the planning, development,  
68.35 oversight, and delivery of support services. Project funds may not be used to provide

69.1 services in segregated settings such as the center-based employment subprograms as  
69.2 defined in section 268A.01.

69.3 The commissioner of employment and economic development, in consultation  
69.4 with the commissioner of human services, shall develop a request for proposals which is  
69.5 consistent with the requirements of this section and section 268A.14 and which specifies  
69.6 the types of services that must be provided by grantees. Priority for funding shall be given  
69.7 to organizations ~~with experience in developing innovative employment support services~~  
69.8 ~~for persons with mental illness~~ carrying out evidence-based practices. Each applicant for  
69.9 funds under this section shall submit an evaluation protocol as part of the grant application.

69.10 Sec. 17. Minnesota Statutes 2012, section 268A.14, subdivision 1, is amended to read:

69.11 Subdivision 1. **Employment support services and programs.** The commissioner  
69.12 of employment and economic development, in cooperation with the commissioner of  
69.13 human services, shall operate a statewide system to reimburse providers for employment  
69.14 support services for persons with mental illness. The system shall be operated to support  
69.15 employment programs and services where:

69.16 (1) services provided are readily accessible to all persons with mental illness who  
69.17 want to work, including rapid competitive job search, so they can make progress toward  
69.18 economic self-sufficiency;

69.19 (2) services provided are made an integral part of all mental health treatment and  
69.20 rehabilitation programs for persons with mental illness to ensure that they have the ability  
69.21 and opportunity to consider a variety of work options;

69.22 (3) programs help persons with mental illness form long-range plans for employment  
69.23 that fit their skills and abilities by ensuring that ongoing time-unlimited support, crisis  
69.24 management, placement, and career planning services are available;

69.25 (4) services provided give persons with mental illness the information needed  
69.26 to make informed choices about employment expectations and options, including  
69.27 information on the types of employment available in the local community, the types of  
69.28 employment services available, the impact of employment on eligibility for governmental  
69.29 benefits, and career options;

69.30 (5) programs assess whether persons with mental illness being serviced are satisfied  
69.31 with the services and outcomes. Satisfaction assessments shall address at least whether  
69.32 persons like their jobs, whether quality of life is improved, whether potential for  
69.33 advancement exists, and whether there are adequate support services in place;

69.34 (6) programs encourage persons with mental illness being served to be involved in  
69.35 employment support services issues by allowing them to participate in the development of

70.1 individual rehabilitation plans and to serve on boards, committees, task forces, and review  
 70.2 bodies that shape employment services policies and that award grants, and by encouraging  
 70.3 and helping them to establish and participate in self-help and consumer advocacy groups;

70.4 (7) programs encourage employers to expand employment opportunities for  
 70.5 persons with mental illness and, to maximize the hiring of persons with mental illness,  
 70.6 educate employers about the needs and abilities of persons with mental illness and the  
 70.7 requirements of the Americans with Disabilities Act;

70.8 (8) programs encourage persons with mental illness, vocational rehabilitation  
 70.9 professionals, and mental health professionals to learn more about current work incentive  
 70.10 provisions in governmental benefits programs;

70.11 (9) programs establish and maintain linkages with a wide range of other programs  
 70.12 and services, including educational programs, housing programs, economic assistance  
 70.13 services, community support services, and clinical services to ensure that persons with  
 70.14 mental illness can obtain and maintain employment;

70.15 (10) programs participate in ongoing training across agencies and service delivery  
 70.16 systems so that providers in human services systems understand their respective roles,  
 70.17 rules, and responsibilities and understand the options that exist for providing employment  
 70.18 and community support services to persons with mental illness; and

70.19 (11) programs work with local communities to expand system capacity to provide  
 70.20 access to employment services to all persons with mental illness who want them.

70.21 Sec. 18. **[383D.412] DAKOTA COUNTY COMMUNITY DEVELOPMENT**  
 70.22 **AGENCY; MINNESOTA INVESTMENT FUND.**

70.23 Subdivision 1. **Treatment.** As long as the conditions set forth in subdivision 2 are met  
 70.24 and notwithstanding the provisions of section 116J.8731, the Dakota County Community  
 70.25 Development Agency will be treated as if it were a general purpose local governmental unit  
 70.26 and may apply for and receive state-funded money from the Minnesota investment fund.

70.27 Subd. 2. **Conditions precedent.** Conditions precedent to the treatment of the  
 70.28 Dakota County Community Development Agency as a general purpose local governmental  
 70.29 unit as described in subdivision 1 are:

70.30 (a) the board of commissioners of Dakota County shall have adopted a resolution  
 70.31 approving such treatment of the Dakota County Community Development Agency, and  
 70.32 such resolution shall be in full force and effect and shall not have been revoked by  
 70.33 Dakota County; and

71.1 (b) the members of the board of commissioners of Dakota County shall be the same  
 71.2 persons as the members of the board of commissioners of the Dakota County Community  
 71.3 Development Agency.

71.4 Sec. 19. **EMPLOYMENT SUPPORT AND INDEPENDENT LIVING SERVICES**  
 71.5 **FOR INDIVIDUALS WITH HIGH-FUNCTIONING AUTISM, ASPERGER'S**  
 71.6 **SYNDROME, NONVERBAL LEARNING DISORDERS, AND PERVASIVE**  
 71.7 **DEVELOPMENT DISORDER, NOT OTHERWISE SPECIFIED; PILOT**  
 71.8 **PROGRAM.**

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

71.11 (b) "Communication" means the ability to effectively give and receive information  
 71.12 through spoken words, writing, speaking, listening, or other means of communication,  
 71.13 including but not limited to nonverbal expressions, gestures, or other adaptive methods.

71.14 (c) "Functional areas" means communication, interpersonal skills, mobility, self-care,  
 71.15 self-direction, preemployment skills, work tolerance, and independent living skills.

71.16 (d) "Independent living assessment" means an active, performance-based skill  
 71.17 assessment in the functional areas of communication, interpersonal skills, mobility,  
 71.18 self-care, self-direction, preemployment skills, and independent living skills, that provides  
 71.19 an analysis of the individual's ability to independently achieve certain skills and which  
 71.20 is performed through direct observation.

71.21 (e) "Interpersonal skills" means the ability to establish and maintain personal,  
 71.22 family, work, and community relationships.

71.23 (f) "Mobility" means the physical and psychological ability to move about from  
 71.24 place to place, including travel to and from destinations in the community for activities  
 71.25 of daily living, training, or work.

71.26 (g) "Natural supports" means the process of assisting an employer to expand its  
 71.27 capacity for training, supervising, and supporting workers with disabilities.

71.28 (h) "Ongoing employment support services" means any of the following services:

71.29 (1) facilitation of natural supports at the work site;

71.30 (2) disability awareness training for the worker, the worker's employer, supervisor,  
 71.31 or coworkers;

71.32 (3) services necessary to increase the worker's inclusion at the work site;

71.33 (4) job skills training at the work site;

71.34 (5) regular observation or supervision of the worker;

71.35 (6) coordination of support services;

- 72.1 (7) job-related safety training;
- 72.2 (8) job-related advocacy skills training to advance employment;
- 72.3 (9) training in independent living skills and support including self-advocacy, money
- 72.4 management and organization, grooming and personal care, communication, interpersonal
- 72.5 skills, problem solving, orientation and mobility, and using public transportation or
- 72.6 driver's training;
- 72.7 (10) follow-up services necessary to reinforce and stabilize employment, including
- 72.8 regular contact with the worker's employer, supervisor or coworkers, parents, family
- 72.9 members, advocates, legal representatives, other suitable professionals, and informed
- 72.10 advisors;
- 72.11 (11) training in job seeking skills; and
- 72.12 (12) internships or career planning to assist the individual's advancement in
- 72.13 meaningful employment.
- 72.14 (i) "Preemployment skills" means the abilities and skills to successfully apply for,
- 72.15 secure, and maintain competitive employment.
- 72.16 (j) "Self-care" means skills needed to manage one's self or living environment,
- 72.17 including but not limited to money management, personal health care, personal hygiene,
- 72.18 and safety needs, including medication management.
- 72.19 (k) "Self-direction" means the ability to plan, initiate, organize, or carry out
- 72.20 goal-directed activities or solve problems related to self-care, socialization, recreation, and
- 72.21 working independently.
- 72.22 (l) "Severe impairment to employment" means limitations experienced by persons
- 72.23 diagnosed with high-functioning autism, Asperger's syndrome, nonverbal learning
- 72.24 disorders, or pervasive development disorder, not otherwise specified, due to an extended
- 72.25 history of unemployment or underemployment; limited education, training, or job skills;
- 72.26 and physical, intellectual, or emotional characteristics that seriously impair the individual's
- 72.27 ability to obtain and retain permanent employment.
- 72.28 (m) "Work tolerance" means the ability to effectively and efficiently perform jobs
- 72.29 with various levels of sensory and environmental components including scent, noise,
- 72.30 visual stimuli, physical space, and psychological demands.
- 72.31 **Subd. 2. Employment support plan and outcomes. An individual participating in**
- 72.32 **the program under this section must develop an employment support plan that includes:**
- 72.33 **(1) employment goals;**
- 72.34 **(2) ongoing support services;**
- 72.35 **(3) program outcomes that focus on competitive employment in the community; and**



73.1 (4) ongoing independent living services and employment supports necessary for the  
 73.2 individual to secure, maintain, and advance in employment that best fits the individual's  
 73.3 strengths and career goals.

#### 73.4 **ARTICLE 4**

#### 73.5 **UNEMPLOYMENT INSURANCE**

73.6 Section 1. Minnesota Statutes 2012, section 116L.17, subdivision 4, is amended to read:

73.7 Subd. 4. **Use of funds.** Funds granted by the board under this section may be used  
 73.8 for any combination of the following, except as otherwise provided in this section:

73.9 (1) employment transition services such as developing readjustment plans for  
 73.10 individuals; outreach and intake; early readjustment; job or career counseling; testing;  
 73.11 orientation; assessment of skills and aptitudes; provision of occupational and labor market  
 73.12 information; job placement assistance; job search; job development; prelayoff assistance;  
 73.13 relocation assistance; and programs provided in cooperation with employers or labor  
 73.14 organizations to provide early intervention in the event of plant closings or substantial  
 73.15 layoffs; and entrepreneurial training and business consulting;

73.16 (2) support services, including assistance to help the participant relocate to employ  
 73.17 existing skills; out-of-area job search assistance; family care assistance, including child  
 73.18 care; commuting assistance; emergency housing and rental assistance; counseling  
 73.19 assistance, including personal and financial; health care; emergency health assistance;  
 73.20 emergency financial assistance; work-related tools and clothing; and other appropriate  
 73.21 support services that enable a person to participate in an employment and training program  
 73.22 with the goal of reemployment;

73.23 (3) specific, short-term training to help the participant enhance current skills  
 73.24 in a similar occupation or industry; entrepreneurial training, customized training, or  
 73.25 on-the-job training; basic and remedial education to enhance current skills; and literacy  
 73.26 and work-related English training for non-English speakers; and

73.27 (4) long-term training in a new occupation or industry, including occupational skills  
 73.28 training or customized training in an accredited program recognized by one or more  
 73.29 relevant industries. Long-term training shall only be provided to dislocated workers  
 73.30 whose skills are obsolete and who have no other transferable skills likely to result in  
 73.31 employment at a comparable wage rate. Training shall only be provided for occupations or  
 73.32 industries with reasonable expectations of job availability based on the service provider's  
 73.33 thorough assessment of local labor market information where the individual currently  
 73.34 resides or is willing to relocate. This clause shall not restrict training in personal services  
 73.35 or other such industries.

74.1 Sec. 2. Minnesota Statutes 2012, section 116L.17, is amended by adding a subdivision  
74.2 to read:

74.3 Subd. 11. **Converting layoffs into Minnesota businesses (CLIMB).** Converting  
74.4 layoffs into Minnesota businesses (CLIMB) is created to assist dislocated workers in  
74.5 starting or growing a business. CLIMB must offer entrepreneurial training, business  
74.6 consulting, and technical assistance to dislocated workers seeking to start or grow a  
74.7 business. The commissioner, in cooperation with local workforce councils, must provide  
74.8 the assistance in this subdivision by:

74.9 (1) encouraging closer ties between the Small Business Development Center  
74.10 network, Small Business Development Center training providers, and workforce centers,  
74.11 as well as other dislocated worker program service providers; and

74.12 (2) eliminating grantee performance data disincentives that would otherwise prevent  
74.13 enrollment of dislocated workers in entrepreneurship-related training.

74.14 Sec. 3. Minnesota Statutes 2012, section 268.051, subdivision 5, is amended to read:

74.15 Subd. 5. **Tax rate for new employers.** (a) Each new taxpaying employer that does  
74.16 not qualify for an experience rating under subdivision 3, except new employers in a high  
74.17 experience rating industry, must be assigned, for a calendar year, a tax rate the higher of  
74.18 (1) one percent, or (2) the tax rate computed, to the nearest 1/100 of a percent, by dividing  
74.19 the total amount of unemployment benefits paid all applicants during the 48 calendar  
74.20 months ending on June 30 of the prior calendar year by the total taxable wages of all  
74.21 taxpaying employers during the same period, plus the applicable base tax rate and any  
74.22 additional assessments under subdivision 2, paragraph (c).

74.23 (b) Each new taxpaying employer in a high experience rating industry that does not  
74.24 qualify for an experience rating under subdivision 3, must be assigned, for a calendar year,  
74.25 a tax rate the higher of (1) that assigned under paragraph (a), or (2) the tax rate, computed  
74.26 to the nearest 1/100 of a percent, by dividing the total amount of unemployment benefits  
74.27 paid to all applicants from high experience rating industry employers during the 48  
74.28 calendar months ending on June 30 of the prior calendar year by the total taxable wages  
74.29 of all high experience rating industry employers during the same period, to a maximum  
74.30 provided for under subdivision 3, paragraph (b), plus the applicable base tax rate and any  
74.31 additional assessments under subdivision 2, paragraph (c).

74.32 (c) An employer is considered to be in a high experience rating industry if:

74.33 (1) the employer is engaged in residential, commercial, or industrial construction,  
74.34 including general contractors;

74.35 (2) the employer is engaged in sand, gravel, or limestone mining;

75.1 (3) the employer is engaged in the manufacturing of concrete, concrete products,  
75.2 or asphalt; or

75.3 (4) the employer is engaged in road building, repair, or resurfacing, including bridge  
75.4 and tunnels and residential and commercial driveways and parking lots.

75.5 (d) Regardless of any law to the contrary, a taxpaying employer must be assigned a  
75.6 tax rate under this subdivision if:

75.7 ~~(1) the employer registers for a tax account under section 268.042 and for each of~~  
75.8 ~~the five calendar quarters after registering files a "no wages paid" report on wage detail~~  
75.9 ~~under section 268.044; or had no taxable wages during the experience rating period under~~  
75.10 ~~subdivision 3.~~

75.11 ~~(2) the employer has filed 14 consecutive quarterly "no wages paid" reports on~~  
75.12 ~~wage detail under section 268.044.~~

75.13 (e) The commissioner must send to the new employer, by mail or electronic  
75.14 transmission, a determination of tax rate. An employer may appeal the determination of  
75.15 tax rate in accordance with the procedures in subdivision 6, paragraph (c).

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

75.17 Sec. 4. Minnesota Statutes 2012, section 268.07, subdivision 3b, is amended to read:

75.18 Subd. 3b. **Limitations on applications and benefit accounts.** (a) An application for  
75.19 unemployment benefits is effective the Sunday of the calendar week that the application  
75.20 was filed. An application for unemployment benefits may be backdated one calendar week  
75.21 before the Sunday of the week the application was actually filed if the applicant requests  
75.22 the backdating at the time the application is filed. An application may be backdated only if  
75.23 the applicant ~~had no employment~~ was unemployed during the period of the backdating.  
75.24 If an individual attempted to file an application for unemployment benefits, but was  
75.25 prevented from filing an application by the department, the application is effective the  
75.26 Sunday of the calendar week the individual first attempted to file an application.

75.27 (b) A benefit account established under subdivision 2 is effective the date the  
75.28 application for unemployment benefits was effective.

75.29 (c) A benefit account, once established, may later be withdrawn only if:

75.30 (1) the applicant has not been paid any unemployment benefits on that benefit  
75.31 account; and

75.32 (2) a new application for unemployment benefits is filed and a new benefit account is  
75.33 established at the time of the withdrawal.

76.1 A determination or amended determination of eligibility or ineligibility issued under  
 76.2 section 268.101, that was sent before the withdrawal of the benefit account, remains in  
 76.3 effect and is not voided by the withdrawal of the benefit account.

76.4 (d) An application for unemployment benefits is not allowed before the Sunday  
 76.5 following the expiration of the benefit year on a prior benefit account. Except as allowed  
 76.6 under paragraph (c), an applicant may establish only one benefit account each 52 calendar  
 76.7 weeks.

76.8 Sec. 5. Minnesota Statutes 2012, section 268.125, subdivision 1, is amended to read:

76.9 Subdivision 1. **Additional unemployment benefits; when available.** Additional  
 76.10 unemployment benefits are available if:

76.11 (1) MS 2008 [Expired, 2008 c 300 s 15]

76.12 (2)(i) at a facility that had 100 or more employees, the employer reduced operations,  
 76.13 resulting within a one-month period in the layoff of 50 percent or more of the facility's  
 76.14 work force, including reductions caused as a result of a major natural disaster declared by  
 76.15 the president;

76.16 (ii) the employer has no expressed plan to resume operations that would lead to the  
 76.17 reemployment of those employees in the immediate future; and

76.18 (iii) the seasonally adjusted unemployment rate in the county that the facility is  
 76.19 located was ten percent or more during the month of the reduction or any of the three  
 76.20 months before or after the month of the reduction; or

76.21 (3) the applicant stopped working because of a lockout. The term "lockout" has the  
 76.22 meaning given in section 179.01, subdivision 9. This clause does not apply to professional  
 76.23 athletes who are locked out by a professional sports team. This clause does not apply to  
 76.24 individuals whose total compensation was in excess of \$150,000 in the previous year.

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

76.26 Sec. 6. Minnesota Statutes 2012, section 268.125, subdivision 3, is amended to read:

76.27 Subd. 3. **Eligibility conditions.** (a) An applicant is eligible to receive additional  
 76.28 unemployment benefits for any week during the applicant's benefit year if:

76.29 ~~(1) for any week during which benefits are available under subdivision 1, clause (1):~~

76.30 ~~(i) the applicant resides in a county that meets the requirements of subdivision 1,~~  
 76.31 ~~clause (1), and resided in that county each week that regular unemployment benefits~~  
 76.32 ~~were paid;~~

76.33 ~~(ii) the applicant was not paid unemployment benefits for any week in the 12 months~~  
 76.34 ~~before the effective date of the applicant's benefit account;~~

77.1 ~~(iii) the applicant meets the same eligibility requirements that are required for~~  
 77.2 ~~regular unemployment benefits under section 268.069; and~~

77.3 ~~(iv) MS 2008 [Expired, 2008 c 300 s 17]~~

77.4 ~~(2) (1) the applicant was laid off from employment as a result of a reduction under~~  
 77.5 ~~subdivision 1, clause (2), or was laid off because of lack of work from that employer~~  
 77.6 ~~during the three-month period before, or the three-month period after, the month of the~~  
 77.7 ~~reduction under subdivision 1, clause (2);~~

77.8 ~~(3) (2) the applicant meets the same eligibility requirements that are required for~~  
 77.9 ~~regular unemployment benefits under section 268.069;~~

77.10 ~~(4) (3) the applicant has exhausted regular unemployment benefits under section~~  
 77.11 ~~268.07, is not entitled to receive extended unemployment benefits under section 268.115,~~  
 77.12 ~~and is not entitled to receive unemployment benefits under any other state or federal law~~  
 77.13 ~~for that week; and~~

77.14 ~~(5) (4) a majority of the applicant's wage credits were from the employer that had a~~  
 77.15 ~~reduction in operations under subdivision 1, clause (2).~~

77.16 (b) An applicant who stopped working because of a lockout is eligible to receive  
 77.17 additional unemployment benefits for any week if:

77.18 (1) the applicant meets the eligibility requirements under section 268.069;

77.19 (2) the applicant has exhausted regular unemployment benefits under section 268.07  
 77.20 or the law of another state;

77.21 (3) the applicant is not eligible for extended unemployment benefits or  
 77.22 unemployment benefits under any federal law; and

77.23 (4) the lockout is in active progress.

77.24 Section 268.085, subdivision 1, clause (2), does not apply to this paragraph.

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

77.26 Sec. 7. Minnesota Statutes 2012, section 268.125, subdivision 4, is amended to read:

77.27 Subd. 4. **Weekly unemployment benefit amount.** An applicant's weekly additional  
 77.28 unemployment benefit amount is the same as the applicant's weekly regular unemployment  
 77.29 benefit amount ~~during the current benefit year~~ under section 268.07.

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

77.31 Sec. 8. Minnesota Statutes 2012, section 268.125, subdivision 5, is amended to read:

77.32 Subd. 5. **Maximum amount of unemployment benefits.** (a) For an applicant  
 77.33 who qualifies for additional unemployment benefits under subdivision 1, clause (2), the

78.1 maximum amount of additional unemployment benefits available in the applicant's benefit  
78.2 year is one-half of the applicant's maximum amount of regular unemployment benefits  
78.3 available under section 268.07, subdivision 2. Extended unemployment benefits paid and  
78.4 unemployment benefits paid under any federal law other than regular unemployment  
78.5 benefits must be deducted from the maximum amount of additional unemployment  
78.6 benefits available.

78.7 (b) For an applicant who qualifies for additional unemployment benefits under  
78.8 subdivision 1, clause (3), the applicant may receive additional unemployment benefits for  
78.9 up to 156 weeks so long as the lockout is in active progress.

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

78.11 Sec. 9. **[268.133] UNEMPLOYMENT BENEFITS WHILE IN**  
78.12 **ENTREPRENEURIAL TRAINING.**

78.13 Unemployment benefits are available to dislocated workers participating in the  
78.14 converting layoffs into Minnesota businesses (CLIMB) program under section 116L.17,  
78.15 subdivision 11. Applicants participating in CLIMB are considered in reemployment  
78.16 assistance training under section 268.035, subdivision 21c. All requirements under section  
78.17 268.069, subdivision 1, must be met, except the commissioner may waive:

78.18 (1) the earnings deductible provisions in section 268.085, subdivision 5; and  
78.19 (2) the 32 hours of work limitation in section 268.085, subdivision 2, clause (6). A  
78.20 maximum of 500 applicants may receive a waiver at any given time.

78.21 Sec. 10. Minnesota Statutes 2012, section 268.136, subdivision 1, is amended to read:

78.22 Subdivision 1. **Shared work agreement plan requirements.** (a) An employer  
78.23 may submit a proposed shared work plan for an employee group to the commissioner  
78.24 for approval in a manner and format set by the commissioner. The proposed ~~agreement~~  
78.25 shared work plan must include:

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

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

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

78.32 (4) a certified statement of when that each participating employee was first hired by  
78.33 the employer, which must be at least one year before the proposed ~~agreement~~ shared work  
78.34 plan is submitted and is not a seasonal, temporary, or intermittent worker;

79.1 ~~(4)~~ (5) the hours of work each participating employee will work each week for the  
 79.2 duration of the ~~agreement~~ shared work plan, which must be at least ~~20~~ one-half the normal  
 79.3 weekly hours ~~and but~~ no more than 32 hours per week, except that the ~~agreement~~ plan  
 79.4 may provide for a uniform vacation shutdown of up to two weeks;

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

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

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

79.14 ~~(5)~~ (9) the proposed duration of the ~~agreement~~ shared work plan, which must be  
 79.15 at least two months and not more than one year, although ~~an agreement~~ a plan may be  
 79.16 extended for up to an additional year upon approval of the commissioner;

79.17 ~~(6)~~ (10) a starting date beginning on a Sunday at least 15 calendar days after the date  
 79.18 the proposed ~~agreement~~ shared work plan is submitted; and

79.19 ~~(7)~~ (11) a signature of an owner or officer of the employer who is listed as an owner  
 79.20 or officer on the employer's account under section 268.045.

79.21 ~~(b) An agreement may not be approved for an employer that:~~

79.22 ~~(1) has any unemployment tax or reimbursements, including any interest, fees,~~  
 79.23 ~~or penalties, due but unpaid; or~~

79.24 ~~(2) has the maximum experience rating provided for under section 268.051,~~  
 79.25 ~~subdivision 3.~~

79.26 Sec. 11. Minnesota Statutes 2012, section 268.136, subdivision 2, is amended to read:

79.27 Subd. 2. **Agreement Approval by commissioner.** (a) The commissioner must  
 79.28 promptly review a proposed ~~agreement~~ shared work plan and notify the employer, by mail  
 79.29 or electronic transmission, within 15 days of receipt, whether the proposal satisfies the  
 79.30 requirements of this section and has been approved. If the proposal does not comply  
 79.31 with this section, the commissioner must specifically state why the proposal is not in  
 79.32 compliance. If a proposed ~~agreement complies with this section~~ shared work plan has  
 79.33 been approved, it must be implemented according to its terms.

80.1 (b) The commissioner may ~~reject an agreement~~ not approve a proposed shared work  
80.2 plan if the commissioner has cause to believe the proposal is ~~not~~ was submitted for ~~the~~ a  
80.3 purpose of other than preventing layoffs due to lack of work.

80.4 (c) The commissioner may not approve a proposed shared work plan if the employer  
80.5 has any unemployment tax or reimbursements, including any interest, fees, or penalties,  
80.6 due but unpaid.

80.7 (d) A shared work plan that has been approved by the commissioner is considered  
80.8 a contract that is binding on the employer and the department. This contract may be  
80.9 canceled or modified under subdivision 5.

80.10 Sec. 12. Minnesota Statutes 2012, section 268.136, is amended by adding a subdivision  
80.11 to read:

80.12 Subd. 2a. **Notice to participating employee.** The employer must provide written  
80.13 notification to each participating employee that the employer has submitted a proposed  
80.14 shared work plan. The notification must be provided to the employee no later than the  
80.15 time the commissioner notifies the employer that a proposed shared work plan has been  
80.16 approved. The notification must inform the employee of the proposed terms of the  
80.17 shared work plan along with notice to the employee of the employee's right to apply for  
80.18 unemployment benefits.

80.19 Sec. 13. Minnesota Statutes 2012, section 268.136, subdivision 3, is amended to read:

80.20 Subd. 3. **Applicant requirements.** (a) An applicant, in order to be paid  
80.21 unemployment benefits under this section, must meet all of the requirements under section  
80.22 268.069, subdivision 1. The following provisions of section 268.085 do not apply to an  
80.23 applicant ~~under this section~~ in an approved shared work plan:

80.24 (1) ~~the deductible earnings provision of section 268.085,~~ under subdivision 5;

80.25 (2) ~~the restriction under section 268.085, subdivision 6 2, clause (6),~~ if the applicant  
80.26 works exactly 32 hours in a week;

80.27 (3) ~~the requirement of being available for suitable employment under subdivision 1,~~  
80.28 clause (4), but only if the applicant is (i) available for the normal hours of work per week  
80.29 with the shared work employer, or (ii) is in a training program when not working; and

80.30 (4) ~~the requirement of actively seeking suitable employment under subdivision~~  
80.31 1, clause (5).

80.32 (b) An applicant is ineligible for unemployment benefits under this section for  
80.33 any week, if:



81.1 ~~(1)~~ the applicant works more than 32 hours in a week in employment with one or  
 81.2 more employer; ~~or.~~

81.3 ~~(2) the applicant works more hours in a week for the shared work employer than~~  
 81.4 ~~the reduced weekly hours provided for in the agreement.~~

81.5 Sec. 14. Minnesota Statutes 2012, section 268.136, subdivision 4, is amended to read:

81.6 Subd. 4. **Amount of unemployment benefits available.** (a) The weekly benefit  
 81.7 amount and maximum amount of unemployment benefits available are computed  
 81.8 according to section 268.07, except that ~~an applicant is paid~~ the amount of benefits  
 81.9 available is a reduced amount in direct proportion to the reduction in hours set out in the  
 81.10 shared work plan from the normal weekly hours.

81.11 (b) Regardless of paragraph (a), if the applicant works more hours in a week for the  
 81.12 shared work employer than the reduced weekly hours provided for in the shared work  
 81.13 plan, the amount of unemployment benefits available is a reduced amount in direct  
 81.14 proportion to the reduction in hours actually worked from the normal weekly hours.

81.15 (c) If an applicant works fewer hours in a week for the shared work employer than  
 81.16 set out in the shared work plan, the amount of unemployment benefits are available in  
 81.17 accordance with paragraph (a).

81.18 Sec. 15. Minnesota Statutes 2012, section 268.136, subdivision 5, is amended to read:

81.19 Subd. 5. **Cancellation; modification.** (a) An employer may cancel ~~an agreement a~~  
 81.20 shared work plan at any time upon seven calendar days' notice to the commissioner in a  
 81.21 manner and format prescribed by the commissioner. The cancellation must be signed by  
 81.22 an owner or officer of the employer.

81.23 (b) An employer may request that the commissioner allow modification of the shared  
 81.24 work plan as to the hours of work each participating employee will work each week. The  
 81.25 request must be sent in a manner and form prescribed by the commissioner. The request  
 81.26 must be signed by an owner or officer of the employer. The commissioner must notify the  
 81.27 employer as soon as possible if the modification is allowed.

81.28 ~~(b)~~ (c) An employer that cancels an agreement or requests modification of a shared  
 81.29 work plan must provide written notice to each participating employee in the group of the  
 81.30 cancellation or requested modification at the time notice is sent to the commissioner.

81.31 ~~(e)~~ (d) If an employer cancels an agreement a shared work plan before the expiration  
 81.32 date provided for in subdivision 1, a new agreement shared work plan may not be entered  
 81.33 into with approved for that employer under this section for at least 60 calendar days.

82.1 ~~(d)~~ (e) The commissioner may immediately cancel any ~~agreement~~ shared work plan  
 82.2 if the commissioner determines the ~~agreement~~ plan was based upon false information or  
 82.3 the employer is ~~in breach~~ has failed to adhere to the terms of the contract shared work plan.  
 82.4 The commissioner must immediately send written notice of cancellation to the employer.  
 82.5 An employer that receives notice of cancellation ~~by the commissioner~~ must provide  
 82.6 written notice to each participating ~~employer in the group~~ employee of the cancellation.

82.7 Sec. 16. Minnesota Statutes 2012, section 268.199, is amended to read:

82.8 **268.199 CONTINGENT ACCOUNT.**

82.9 (a) There is created in the state treasury a special account, to be known as the  
 82.10 contingent account, ~~that does not lapse nor revert to any other fund or account.~~ This  
 82.11 account consists of all money collected under this chapter that is required to be placed  
 82.12 in this account and any interest earned on the account. ~~All money in this account is~~  
 82.13 ~~appropriated and available for administration of the Minnesota unemployment insurance~~  
 82.14 ~~program unless otherwise appropriated by session law.~~ The money deposited in the  
 82.15 account is transferred to the general fund.

82.16 ~~(b) All money in this account must be deposited, administered, and disbursed in the~~  
 82.17 ~~same manner and under the same conditions and requirements as is provided by law for~~  
 82.18 ~~the other special accounts in the state treasury.~~

82.19 **EFFECTIVE DATE.** This section is effective July 1, 2013.

82.20 Sec. 17. Minnesota Statutes 2012, section 268.23, is amended to read:

82.21 **268.23 SEVERABLE.**

82.22 ~~In the event that~~ If the United States Department of Labor determines that any  
 82.23 provision of the Minnesota Unemployment Insurance Law, ~~or any other provision of~~  
 82.24 ~~Minnesota Statutes relating to the unemployment insurance program,~~ is not in conformity  
 82.25 with, or is inconsistent with, the requirements of federal law, the provision has no force  
 82.26 or effect; ~~but~~. If only a portion of the provision, or the application to any person or  
 82.27 circumstances, is ~~held~~ determined not in conformity, or determined inconsistent, the  
 82.28 remainder of the provision and the application of the provision to other persons or  
 82.29 circumstances are not affected.

82.30 Sec. 18. Laws 2012, chapter 201, article 1, section 3, the effective date, is amended to  
 82.31 read:

83.1 **EFFECTIVE DATE.** This section is effective July 1, 2012, except the amendments  
83.2 to paragraph (d) are effective for penalties ~~imposed~~ credited on or after July 1, 2013.

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

83.4 Sec. 19. **UNEMPLOYMENT INSURANCE EMPLOYER TAX REDUCTION.**

83.5 (a) Notwithstanding Minnesota Statutes, section 268.051, subdivision 2, if, on  
83.6 September 30, 2013, the balance in the Minnesota Unemployment Trust Fund is more than  
83.7 \$800,000,000, the base tax rate for calendar year 2014 is 0.1 percent, and there will be no  
83.8 additional assessment assigned. If, on September 30, 2014, the balance in the Minnesota  
83.9 Unemployment Trust Fund is more than \$900,000,000, the base tax rate for calendar year  
83.10 2015 is 0.1 percent, and there will be no additional assessment assigned.

83.11 (b) This section expires December 31, 2015.

83.12 Sec. 20. **COMMISSIONER AUTHORIZED TO REQUEST SHARED WORK**  
83.13 **FUNDS.**

83.14 The commissioner of employment and economic development is authorized to  
83.15 request federal funding for Minnesota's shared work unemployment benefit program  
83.16 under Minnesota Statutes, section 268.136. Federal funding is available under the Middle  
83.17 Class Tax Relief and Job Creation Act of 2012, Public Law 112-96. Federal funding  
83.18 provided under that act for the shared work program must be immediately deposited in  
83.19 the Minnesota Unemployment Insurance Trust Fund. The exception under Minnesota  
83.20 Statutes, section 268.047, subdivision 2, clause (10), does not apply to the federal money.

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

## 83.22 **ARTICLE 5**

### 83.23 **MISCELLANEOUS**

83.24 Section 1. Minnesota Statutes 2012, section 154.001, is amended by adding a  
83.25 subdivision to read:

83.26 Subd. 4. **Comprehensive examination.** "Comprehensive examination" means all  
83.27 parts of a test administered by the board, including but not limited to written, oral, and  
83.28 practical components.

83.29 Sec. 2. Minnesota Statutes 2012, section 154.003, is amended to read:

83.30 **154.003 FEES.**

84.1 (a) The fees collected, as required in this chapter, chapter 214, and the rules of the  
 84.2 board, shall be paid to the board. The board shall deposit the fees in the general fund  
 84.3 in the state treasury.

84.4 (b) The board shall charge the following fees:

- 84.5 (1) examination and certificate, registered barber, \$85;  
 84.6 (2) retake of written examination, registered barber, \$10;  
 84.7 ~~(2)~~ (3) examination and certificate, apprentice, \$80;  
 84.8 (4) retake of written examination, apprentice, \$10;  
 84.9 ~~(3)~~ (5) examination, instructor, \$180;  
 84.10 ~~(4)~~ (6) certificate, instructor, \$65;  
 84.11 ~~(5)~~ (7) temporary teacher or apprentice permit, \$80;  
 84.12 ~~(6)~~ (8) renewal of license, registered barber, \$80;  
 84.13 ~~(7)~~ (9) renewal of license, apprentice, \$70;  
 84.14 ~~(8)~~ (10) renewal of license, instructor, \$80;  
 84.15 ~~(9)~~ (11) renewal of temporary teacher permit, \$65;  
 84.16 ~~(10)~~ (12) student permit, \$45;  
 84.17 (13) renewal of student permit, \$25;  
 84.18 ~~(11)~~ (14) initial shop registration, \$85;  
 84.19 ~~(12)~~ (15) initial school registration, \$1,030;  
 84.20 ~~(13)~~ (16) renewal shop registration, \$85;  
 84.21 ~~(14)~~ (17) renewal school registration, \$280;  
 84.22 ~~(15)~~ (18) restoration of registered barber license, \$95;  
 84.23 ~~(16)~~ (19) restoration of apprentice license, \$90;  
 84.24 ~~(17)~~ (20) restoration of shop registration, \$105;  
 84.25 ~~(18)~~ (21) change of ownership or location, \$55;  
 84.26 ~~(19)~~ (22) duplicate license, \$40; and  
 84.27 ~~(20)~~ (23) home study course, \$95 \$75;  
 84.28 (24) letter of license verification, \$25; and  
 84.29 (25) reinspection, \$100.

84.30 Sec. 3. Minnesota Statutes 2012, section 154.02, is amended to read:

84.31 **154.02 WHAT CONSTITUTES BARBERING.**

84.32 Any one or any combination of the following practices when done upon the head  
 84.33 and neck for cosmetic purposes and not for the treatment of disease or physical or mental  
 84.34 ailments and when done for payment directly or indirectly or without payment for the  
 84.35 public generally constitutes the practice of barbering within the meaning of sections

85.1 154.001, 154.002, 154.003, 154.01 to 154.161, 154.19 to 154.21, and 154.24 to 154.26:  
 85.2 to shave the face or neck, trim the beard, cut or bob the hair of any person of either sex  
 85.3 for compensation or other reward received by the person performing such service or any  
 85.4 other person; to give facial and scalp massage or treatments with oils, creams, lotions,  
 85.5 or other preparations either by hand or mechanical appliances; to singe, shampoo the  
 85.6 hair, or apply hair tonics; or to apply cosmetic preparations, antiseptics, powders, oils,  
 85.7 clays, or lotions to hair, scalp, face, or neck.

85.8 Sec. 4. Minnesota Statutes 2012, section 154.05, is amended to read:

85.9 **154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A**  
 85.10 **REGISTERED BARBER.**

85.11 A person is qualified to receive a certificate of registration as a registered barber:

85.12 (1) who is qualified under the provisions of section 154.06;

85.13 (2) who has practiced as a registered apprentice for a period of 12 months under the  
 85.14 immediate personal supervision of a registered barber; and

85.15 (3) who has passed an examination conducted by the board to determine fitness to  
 85.16 practice barbering.

85.17 An apprentice applicant for a certificate of registration to practice as a registered  
 85.18 barber who fails to pass the comprehensive examination conducted by the board and  
 85.19 who fails to pass a onetime retake of the written examination, shall continue to practice  
 85.20 as an apprentice for an additional ~~two months~~ 300 hours before being ~~again entitled to~~  
 85.21 ~~take eligible to retake~~ the comprehensive examination ~~for a registered barber~~ as many  
 85.22 times as necessary to pass.

85.23 Sec. 5. Minnesota Statutes 2012, section 154.06, is amended to read:

85.24 **154.06 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A**  
 85.25 **REGISTERED APPRENTICE.**

85.26 A person is qualified to receive a certificate of registration as a registered apprentice:

85.27 (1) who has completed at least ten grades of an approved school;

85.28 (2) who has graduated from a barber school approved by the a barber board within  
 85.29 the previous four years; and

85.30 (3) who has passed an examination conducted by the board to determine fitness to  
 85.31 practice as a registered apprentice. An applicant who graduated from a barber school  
 85.32 approved by a barber board more than four years prior to application is required to  
 85.33 complete a further course of study of at least 500 hours.

86.1 An applicant for a an initial certificate of registration to practice as an apprentice,  
86.2 who fails to pass the comprehensive examination conducted by the board, and who fails to  
86.3 pass a onetime retake of the written examination, is required to complete a further course  
86.4 of study of at least 500 hours, of not more than eight hours in any one working day, in a  
86.5 barber school approved by the board before being eligible to retake the comprehensive  
86.6 examination as many times as necessary to pass.

86.7 A certificate of registration of an apprentice shall be valid for four years ~~from the~~  
86.8 ~~date the certificate of registration is issued by the board~~ and shall not be renewed for a fifth  
86.9 year. During the four-year period the certificate of registration shall remain in full force  
86.10 and effect only if the apprentice complies with all the provisions of sections 154.001,  
86.11 154.002, 154.003, 154.01 to 154.161, 154.19 to 154.21, and 154.24 to 154.26, including  
86.12 the payment of an annual fee, and the rules of the board.

86.13 If a registered apprentice, during the term in which the certificate of registration is in  
86.14 effect, enters full-time active duty in the armed forces of the United States of America,  
86.15 the expiration date of the certificate of registration shall be extended by a period of time  
86.16 equal to the period or periods of active duty.

86.17 If a registered apprentice graduates from a barber school approved by the board and  
86.18 is issued a certificate of registration while incarcerated by the Department of Corrections  
86.19 of the Federal Bureau of Prisons, the expiration date of the certificate of registration shall  
86.20 be extended one time so that it expires four years from the date of first release from a  
86.21 correctional facility.

86.22 Sec. 6. Minnesota Statutes 2012, section 154.065, subdivision 2, is amended to read:

86.23 Subd. 2. **Qualifications.** A person is qualified to receive a certificate of registration  
86.24 as an instructor of barbering who:

86.25 (1) is a graduate ~~from~~ of an approved high school, or its equivalent, as determined  
86.26 by examination by the Department of Education;

86.27 (2) has ~~qualified for a teacher's or instructor's vocational certificate;~~ successfully  
86.28 completed vocational instructor training from a board-approved program or accredited  
86.29 college or university program that includes the following courses or their equivalents as  
86.30 determined by the board:

86.31 (i) introduction to career and technical education training;

86.32 (ii) philosophy and practice of career and technical education;

86.33 (iii) course development for career and technical education;

86.34 (iv) instructional methods for career and technical education; and

86.35 (v) human relations;

87.1 (3) is currently a registered barber and has at least three years experience as a  
87.2 registered barber in this state, or its equivalent as determined by the board; and

87.3 (4) has passed an examination conducted by the board to determine fitness to  
87.4 instruct in barbering.

87.5 ~~A certificate of registration under this section is provisional until a teacher's or~~  
87.6 ~~instructor's vocational certificate has been issued by the Department of Education. A~~  
87.7 ~~provisional certificate of registration is valid for 30 days and is not renewable.~~

87.8 Sec. 7. Minnesota Statutes 2012, section 154.07, subdivision 1, is amended to read:

87.9 Subdivision 1. **Admission requirements; course of instruction.** No barber school  
87.10 shall be approved by the board unless it requires, as a prerequisite to admission, ten grades  
87.11 of an approved school or its equivalent, as determined by an examination conducted by  
87.12 the commissioner of education, which shall issue a certificate that the student has passed  
87.13 the required examination, and unless it requires, as a prerequisite to graduation, a course  
87.14 of instruction of at least 1,500 hours, of not more than eight hours in any one working day.  
87.15 The course of instruction must include the following subjects: scientific fundamentals  
87.16 for barbering; hygiene; practical study of the hair, skin, muscles, and nerves; structure of  
87.17 the head, face, and neck; elementary chemistry relating to sterilization and antiseptics;  
87.18 diseases of the skin, hair, and glands; massaging and manipulating the muscles of the face  
87.19 and neck; haircutting; shaving; trimming the beard; bleaching, tinting and dyeing the hair;  
87.20 and the chemical waving and straightening of hair.

87.21 Sec. 8. Minnesota Statutes 2012, section 154.08, is amended to read:

87.22 **154.08 APPLICATION; FEE.**

87.23 Each applicant for an examination shall:

87.24 (1) make application to the Board of Barber Examiners on blank forms prepared and  
87.25 furnished by it, the application to contain proof under the applicant's oath of the particular  
87.26 qualifications and identity of the applicant;

87.27 ~~(2) furnish to the board two five-inch x three-inch signed photographs of the~~  
87.28 ~~applicant, one to accompany the application and one to be returned to the applicant,~~  
87.29 ~~to be presented to the board when the applicant appears for examination provide all~~  
87.30 documentation required in support of the application; and

87.31 (3) pay to the board the required fee; and

87.32 (4) present a government-issued photo identification as proof of identity upon  
87.33 application and when the applicant appears for examination.

88.1 Sec. 9. Minnesota Statutes 2012, section 154.09, is amended to read:

88.2 **154.09 EXAMINATIONS, CONDUCT AND SCOPE.**

88.3 The board shall conduct examinations of applicants for certificates of registration to  
88.4 practice as barbers and apprentices not more than six times each year, at such time and  
88.5 place as the board may determine. Additional written examinations may be scheduled  
88.6 by the board and conducted by board staff as designated by the board. The proprietor  
88.7 of a barber school must file an affidavit ~~shall be filed~~ with the board ~~by the proprietor~~  
88.8 ~~of a barber school that~~ of hours completed by students applying to take the apprentice  
88.9 examination ~~have completed.~~ Students must complete 1,500 hours in a barber school  
88.10 ~~registered with~~ approved by the board.

88.11 The examination of applicants for certificates of registration as barbers and  
88.12 apprentices shall include ~~both~~ a practical demonstration and a written and oral test ~~and~~  
88.13 ~~embrace.~~ The examination must cover the subjects usually taught in barber schools  
88.14 registered with the board.

88.15 Sec. 10. Minnesota Statutes 2012, section 154.10, subdivision 1, is amended to read:

88.16 Subdivision 1. **Application.** Each applicant for an initial certificate of registration  
88.17 shall make application to the board on forms prepared and furnished by the board with  
88.18 proof under oath of the particular qualifications and identity of each applicant. This  
88.19 application shall be accompanied by a fee prescribed by law or the rules of the board to  
88.20 defray the expenses of making investigation and for the examination of such applicant.

88.21 Sec. 11. Minnesota Statutes 2012, section 154.11, subdivision 1, is amended to read:

88.22 Subdivision 1. **Examination of nonresidents.** A person who meets all of the  
88.23 requirements for barber registration in sections 154.001, 154.002, 154.003, 154.01 to  
88.24 154.161, 154.19 to 154.21, and 154.24 to 154.26 and either has a license, certificate  
88.25 of registration, or an equivalent as a practicing barber or instructor of barbering from  
88.26 another state or country which in the discretion of the board has substantially the same  
88.27 requirements for registering barbers and instructors of barbering as required by sections  
88.28 154.001, 154.002, 154.003, 154.01 to 154.161, 154.19 to 154.21, and 154.24 to 154.26 or  
88.29 can prove by sworn affidavits practice as a barber or instructor of barbering in another  
88.30 state or country for at least five years immediately prior to making application in this state,  
88.31 shall, upon payment of the required fee, be issued a certificate of registration without  
88.32 examination, ~~provided that the other state or country grants the same privileges to holders~~  
88.33 ~~of Minnesota certificates of registration.~~



89.1 Sec. 12. Minnesota Statutes 2012, section 154.12, is amended to read:

89.2 **154.12 EXAMINATION OF NONRESIDENT APPRENTICES.**

89.3 A person who meets all of the requirements for registration as a barber in sections  
 89.4 154.001, 154.002, 154.003, 154.01 to 154.161, 154.19 to 154.21, and 154.24 to 154.26 and  
 89.5 who has a license, a certificate of registration, or its equivalent as an apprentice in a state  
 89.6 or country which in the discretion of the board has substantially the same requirements for  
 89.7 registration as an apprentice as is provided by sections 154.001, 154.002, 154.003, 154.01  
 89.8 to 154.161, 154.19 to 154.21, and 154.24 to 154.26, shall, upon payment of the required  
 89.9 fee, be issued a certificate of registration without examination, ~~provided that the other state~~  
 89.10 ~~or country grants the same privileges to holders of Minnesota certificates of registration.~~

89.11 Sec. 13. Minnesota Statutes 2012, section 154.14, is amended to read:

89.12 **154.14 CERTIFICATES OF REGISTRATION AND TEMPORARY PERMITS**  
 89.13 **TO BE DISPLAYED.**

89.14 Every holder of a certificate of registration as a registered barber or registered  
 89.15 apprentice or temporary apprentice permit shall display ~~it~~ the certificate or permit, with a  
 89.16 photograph of the certificate or permit holder that meets the same standards as required for  
 89.17 a United States passport, in a conspicuous place adjacent to or near the chair where work  
 89.18 is performed. Every holder of a certificate of registration as an instructor of barbering or  
 89.19 ~~as a barber school~~, of a temporary permit as an instructor of barbering, shall display the  
 89.20 certificate or permit, with a photograph of the certificate or permit holder that meets the  
 89.21 same standards as required for a United States passport, in a conspicuous place accessible  
 89.22 to the public. Every holder of a certificate of registration as a barber school and of a shop  
 89.23 registration card shall display it in a conspicuous place accessible to the public.

89.24 Sec. 14. Minnesota Statutes 2012, section 154.15, subdivision 2, is amended to read:

89.25 Subd. 2. **Effect of failure to renew.** A registered barber or a registered apprentice  
 89.26 who has not renewed a certificate of registration may be reinstated within ~~one year~~ four  
 89.27 years of such failure to renew without examination upon the payment of the required  
 89.28 restoration fee for each year the certificate is lapsed. A registered instructor of barbering  
 89.29 who has not renewed a certificate of registration may be reinstated within ~~three~~ four years  
 89.30 of such failure to renew without examination upon payment of the required restoration fee  
 89.31 for each year the certificate is lapsed. All registered barbers and registered apprentices  
 89.32 who allow their certificates of registration to lapse for more than ~~one year~~ four years shall  
 89.33 be required to reexamine before being issued a certificate of registration. All registered  
 89.34 instructors of barbering who allow their certificates of registration to lapse for more

90.1 than ~~three~~ four years shall be required to reexamine before being issued a certificate of  
 90.2 registration. A barber shop owner who has not renewed the barber shop certificate for more  
 90.3 than one year may reinstate the barber shop registration upon payment of the restoration  
 90.4 fee for each year the shop card was lapsed. If lapsed or unlicensed status is discovered by  
 90.5 the barber inspector during inspection, penalties under section 154.162 shall apply.

90.6 Sec. 15. **[154.162] ADMINISTRATIVE PENALTIES.**

90.7 The board shall impose and collect the following penalties:

90.8 (1) missing or lapsed shop registration discovered upon inspection; penalty imposed  
 90.9 on shop owner: \$500;

90.10 (2) unlicensed or unregistered apprentice or registered barber, first occurrence  
 90.11 discovered upon inspection; penalty imposed on shop owner and unlicensed or  
 90.12 unregistered individual: \$500; and

90.13 (3) unlicensed or unregistered apprentice or registered barber, second occurrence  
 90.14 discovered upon inspection; penalty imposed on shop owner and unlicensed or  
 90.15 unregistered individual: \$1,000.

90.16 Sec. 16. Minnesota Statutes 2012, section 154.26, is amended to read:

90.17 **154.26 MUNICIPALITIES ~~MAY REGULATE HOURS;~~ REGULATION**  
 90.18 **AUTHORIZED.**

90.19 The governing body of any city of this state may regulate by ordinance the opening  
 90.20 and closing hours of barber shops within its municipal limits in addition to all other  
 90.21 applicable local regulations.

90.22 Sec. 17. **[154.27] MISREPRESENTATION.**

90.23 No person shall represent themselves to the public, solicit business, advertise as a  
 90.24 licensed barber or as operating a licensed barber shop, use the title or designation of barber  
 90.25 or barber shop, or engage in any other act or practice that would create the impression to  
 90.26 members of the public that the person is a licensed barber or is operating a licensed barber  
 90.27 shop unless the person holds the appropriate license under this chapter.

90.28 Sec. 18. **[154.28] SYMBOLS; BARBER POLE.**

90.29 No person shall place a barber pole in a location that would create or tend to create  
 90.30 the impression to the public that the business is a barber shop unless the operator holds a  
 90.31 valid license under this chapter. For the purposes of this section, "barber pole" means a

91.1 red and white or red, white, and blue striped vertical cylinder commonly recognized as  
91.2 a barber pole.

91.3 Sec. 19. Minnesota Statutes 2012, section 155A.23, subdivision 3, is amended to read:

91.4 Subd. 3. **Cosmetology.** "Cosmetology" is the practice of personal services, for  
91.5 compensation, for the cosmetic care of the hair, nails, and skin. These services include  
91.6 cleaning, conditioning, shaping, reinforcing, coloring and enhancing the body surface in  
91.7 the areas of the head, scalp, face, arms, hands, legs, ~~and feet,~~ and trunk of the body, except  
91.8 where these services are performed by a barber under sections 154.001, 154.002, 154.003,  
91.9 154.01 to 154.161, 154.19 to 154.21, and 154.24 to 154.26.

91.10 Sec. 20. Minnesota Statutes 2012, section 155A.23, subdivision 8, is amended to read:

91.11 Subd. 8. **Manager.** A "manager" is any person who conducts, operates, or manages a  
91.12 cosmetology school or salon and who also instructs in or provides any services, as defined  
91.13 in subdivision 3. A school manager must maintain an active salon manager's license.

91.14 Sec. 21. Minnesota Statutes 2012, section 155A.23, subdivision 11, is amended to read:

91.15 Subd. 11. **Instructor.** An "instructor" is any person employed by a school to prepare  
91.16 and present the theoretical and practical education of cosmetology to persons who seek to  
91.17 practice cosmetology. An instructor must maintain an active operator or manager's license  
91.18 in the area in which the instructor holds an instructor's license.

91.19 Sec. 22. Minnesota Statutes 2012, section 155A.25, subdivision 1a, is amended to read:

91.20 Subd. 1a. **Schedule.** The fee schedule for licensees is as follows ~~for licenses issued~~  
91.21 ~~after June 30, 2010, and prior to July 1, 2013:~~

91.22 (a) Three-year license fees:

91.23 (1) cosmetologist, nail technician manicurist, or esthetician:

91.24 (i) \$90 for each initial license and a \$40 nonrefundable initial license application fee,  
91.25 for a total of \$130; and

91.26 (ii) \$60 for each renewal and a \$15 nonrefundable renewal application fee, for  
91.27 a total of \$75;

91.28 (2) instructor or manager:

91.29 (i) \$120 for each initial license and a \$40 nonrefundable initial license application  
91.30 fee, for a total of \$160; and

91.31 (ii) \$90 for each renewal and a \$15 nonrefundable renewal application fee, for a  
91.32 total of \$105;

- 92.1 (3) salon:
- 92.2 (i) \$130 for each initial license and a \$100 nonrefundable initial license application
- 92.3 fee, for a total of \$230; and
- 92.4 (ii) \$100 for each renewal and a \$50 nonrefundable renewal application fee, for a
- 92.5 total of \$150; and
- 92.6 (4) school:
- 92.7 (i) \$1,500 for each initial license and a \$1,000 nonrefundable initial license
- 92.8 application fee, for a total of \$2,500; and
- 92.9 (ii) \$1,500 for each renewal and a \$500 nonrefundable renewal application fee,
- 92.10 for a total of \$2,000.
- 92.11 (b) Penalties:
- 92.12 (1) reinspection fee, variable;
- 92.13 (2) manager and owner with lapsed practitioner found on inspection, \$150 each;
- 92.14 (3) lapsed practitioner or instructor found on inspection, \$200;
- 92.15 (4) lapsed salon found on inspection, \$500;
- 92.16 (5) lapsed school found on inspection, \$1,000;
- 92.17 (6) failure to display current license, \$100;
- 92.18 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 92.19 under section 155A.355, paragraph (a), \$500;
- 92.20 (8) use of prohibited razor-type callus shavers, rasps, or graters under section
- 92.21 155A.355, \$500;
- 92.22 (9) performing manicuring or cosmetology services in esthetician salon, or
- 92.23 performing esthetician or cosmetology services in manicure salon, \$500;
- 92.24 (10) owner and manager allowing an operator to work as an independent contractor,
- 92.25 \$200;
- 92.26 (11) operator working as an independent contractor, \$100;
- 92.27 (12) refusal or failure to cooperate with an inspection, \$500;
- 92.28 ~~(3)~~ (13) expired cosmetologist, manicurist, esthetician, manager, school manager,
- 92.29 and instructor license, \$45; and
- 92.30 ~~(4)~~ (14) expired salon or school license, \$50.
- 92.31 (c) Administrative fees:
- 92.32 (1) certificate of identification, \$20;
- 92.33 (2) name change, \$20;
- 92.34 (3) letter of license verification, \$30;
- 92.35 (4) duplicate license, \$20;
- 92.36 (5) processing fee, \$10;

- 93.1 (6) special event permit, \$75 per year; and  
93.2 (7) registration of hair braiders, \$20 per year.

93.3 Sec. 23. Minnesota Statutes 2012, section 155A.25, subdivision 4, is amended to read:

93.4 Subd. 4. **License expiration date.** The board shall, in a manner determined by the  
93.5 board and without the need for rulemaking under chapter 14, phase in changes to initial  
93.6 and renewal license expiration dates so that by January 1, 2014:

93.7 (1) individual licenses expire on the last day of the licensee's birth month of the  
93.8 year due; and

93.9 (2) salon and school licenses expire on the last day of the month of initial licensure  
93.10 of the year due.

93.11 Sec. 24. Minnesota Statutes 2012, section 155A.27, subdivision 4, is amended to read:

93.12 Subd. 4. **Testing.** All theory, practical, and Minnesota law and rule testing must  
93.13 be done by a board-approved provider. Appropriate standardized tests shall be used and  
93.14 shall include subject matter relative to the application of Minnesota law. In every case,  
93.15 the primary consideration shall be to safeguard the health and safety of consumers by  
93.16 determining the competency of the applicants to provide the services indicated.

93.17 Sec. 25. Minnesota Statutes 2012, section 155A.27, subdivision 10, is amended to read:

93.18 Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, manicurist, or  
93.19 esthetician may be licensed in Minnesota if the individual has completed cosmetology  
93.20 school in a state or country with the same or greater school hour requirements, has an  
93.21 active license in that state or country, and has passed a board-approved theory and  
93.22 practice-based examination, the Minnesota-specific written operator examination for  
93.23 cosmetologist, manicurist, or esthetician. If a test is used to verify the qualifications of  
93.24 trained cosmetologists, the test should be translated into the nonresident's native language  
93.25 within the limits of available resources. Licenses shall not be issued under this subdivision  
93.26 for managers or instructors.

93.27 (b) If an individual has less than the required number of school hours, the individual  
93.28 must have had a current active license in another state or country for at least three  
93.29 years and have passed a board-approved theory and practice-based examination, or  
93.30 the Minnesota-specific written operator examination for cosmetologist, manicurist, or  
93.31 esthetician. If a test is used to verify the qualifications of trained cosmetologists, the test  
93.32 should be translated into the nonresident's native language within the limits of available  
93.33 resources. Licenses must not be issued under this subdivision for managers or instructors.

94.1 (c) Applicants claiming training and experience in a foreign country shall supply  
94.2 official English-language translations of all required documents from a board-approved  
94.3 source.

94.4 Sec. 26. Minnesota Statutes 2012, section 155A.29, subdivision 2, is amended to read:

94.5 Subd. 2. **Requirements.** (a) The conditions and process by which a salon is licensed  
94.6 shall be established by the board by rule. In addition to those requirements, no license  
94.7 shall be issued unless the board first determines that the conditions in clauses (1) to (5)  
94.8 have been satisfied:

94.9 (1) compliance with all local and state laws, particularly relating to matters of  
94.10 sanitation, health, and safety;

94.11 (2) the employment of a manager, as defined in section 155A.23, subdivision 8;

94.12 ~~(3) inspection and licensing prior to the commencing of business;~~

94.13 ~~(4)~~ (3) if applicable, evidence of compliance with section 176.182; and

94.14 ~~(5)~~ (4) evidence of continued professional liability insurance coverage of at least  
94.15 \$25,000 for each claim and \$50,000 total coverage for each policy year for each operator.

94.16 (b) A licensed esthetician or manicurist who complies with the health, safety,  
94.17 sanitation, inspection, and insurance rules promulgated by the board to operate a salon  
94.18 solely for the performance of those personal services defined in section 155A.23,  
94.19 subdivision 5, in the case of an esthetician, or subdivision 7, in the case of a manicurist.

94.20 Sec. 27. Minnesota Statutes 2012, section 155A.30, is amended by adding a  
94.21 subdivision to read:

94.22 Subd. 11. **Instruction requirements.** (a) Instruction may be offered for no more  
94.23 than ten hours per day per student.

94.24 (b) Instruction must be given within a licensed school building. Online instruction is  
94.25 permitted for board-approved theory-based classes. Practice-based classes must not be  
94.26 given online.

94.27 Sec. 28. **[155A.355] PROHIBITED USES.**

94.28 (a) Single-use equipment, implements, or materials that are made or constructed of  
94.29 paper, wood, or other porous materials must only be used for one application or client  
94.30 service. Presence of used articles in the work area is prima facie evidence of reuse.

94.31 Failure to dispose of the materials in this paragraph is punishable by penalty under section  
94.32 155A.25, subdivision 1a, paragraph (b), clause (7).

95.1 (b) Razor-type callus shavers, rasps, or graters designed and intended to cut growths  
 95.2 of skin such as corns and calluses, including but not limited to credo blades, are prohibited.  
 95.3 Presence of these articles in the work area is prima facie evidence of use and may be  
 95.4 punishable by penalty in section 155A.25, subdivision 1a, paragraph (b), clause (8);

95.5 (c) Licensees must not use any of the following substances or products in performing  
 95.6 cosmetology services:

95.7 (1) methyl methacrylate liquid monomers, also known as MMA; and

95.8 (2) fumigants, including but not limited to formalin tablets or formalin liquids.

95.9 **Sec. 29. [179.90] OFFICE OF COLLABORATION AND DISPUTE**  
 95.10 **RESOLUTION.**

95.11 The commissioner of mediation services shall establish an Office of Collaboration  
 95.12 and Dispute Resolution within the bureau. The office must:

95.13 (1) promote the broad use of community mediation in the state, ensuring that all areas  
 95.14 of the state have access to services by providing grants to private nonprofits entities certified  
 95.15 by the state court administrator under chapter 494 that assist in resolution of disputes;

95.16 (2) assist state agencies, offices of the executive, legislative, and judicial branches,  
 95.17 and units of local government in improving collaboration and dispute resolution;

95.18 (3) support collaboration and dispute resolution in the public and private sector by  
 95.19 providing technical assistance and information on best practices and new developments in  
 95.20 dispute resolution options;

95.21 (4) educate the public and governmental entities on dispute resolution options; and

95.22 (5) promote and utilize collaborative dispute resolution models and processes based  
 95.23 on documented best practices including, but not limited to, the Minnesota Solutions model:

95.24 (i) establishing criteria and procedures for identification and assessment of dispute  
 95.25 resolution projects;

95.26 (ii) designating projects and appointing impartial convenors by the commissioner  
 95.27 or the commissioner's designee;

95.28 (iii) forming multidisciplinary conflict resolution teams; and

95.29 (iv) utilizing collaborative techniques, processes, and standards through facilitated  
 95.30 meetings until consensus among parties is reached in resolving a dispute.

95.31 **Sec. 30. [179.91] GRANTS.**

95.32 Subdivision 1. **Authority.** The commissioner of mediation services shall to the  
 95.33 extent funds are appropriated for this purpose, make grants to private nonprofit community  
 95.34 mediation entities certified by the state court administrator under chapter 494 that assist

96.1 in resolution of disputes. The commissioner shall establish a grant review committee to  
96.2 assist in the review of grant applications and the allocation of grants under this section.

96.3 Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit  
96.4 organization must meet the requirements of section 494.05, subdivision 1, clauses (1),  
96.5 (2), (4), and (5).

96.6 Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must  
96.7 agree to comply with guidelines adopted by the state court administrator under section  
96.8 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those  
96.9 sections apply to grants under this section. The exclusions in section 494.03 apply to  
96.10 grants under this section.

96.11 Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to  
96.12 evaluate quality and outcomes.

96.13 Sec. 31. Minnesota Statutes 2012, section 326A.04, subdivision 2, is amended to read:

96.14 Subd. 2. **Timing.** (a) Certificates must be initially issued and renewed ~~for periods of~~  
96.15 ~~not more than three years~~ annually but in any event must expire on December 31 in the year  
96.16 prescribed by the board by rule. Applications for certificates must be made in the form, and  
96.17 in the case of applications for renewal between the dates, specified by the board in rule.  
96.18 The board shall grant or deny an application no later than 90 days after the application is  
96.19 filed in proper form. If the applicant seeks the opportunity to show that issuance or renewal  
96.20 of a certificate was mistakenly denied, or if the board is unable to determine whether it  
96.21 should be granted or denied, the board may issue to the applicant a provisional certificate  
96.22 that expires 90 days after its issuance, or when the board determines whether or not to  
96.23 issue or renew the certificate for which application was made, whichever occurs first.

96.24 (b) Certificate holders who do not provide professional services and do not use the  
96.25 certified public accountant designation in any manner are not required to renew their  
96.26 certificates provided they have notified the board as provided in board rule and comply  
96.27 with the requirements for nonrenewal as specified in board rule.

96.28 (c) Applications for renewal of a certificate that are complete and timely filed with  
96.29 the board and are not granted or denied by the board before January 1 are renewed on a  
96.30 provisional basis as of January 1 and for 90 days thereafter, or until the board grants or  
96.31 denies the renewal of the certificate, whichever occurs first, provided the licensee meets  
96.32 the requirements in this chapter and rules adopted by the board.

96.33 **EFFECTIVE DATE.** This section is effective for licenses issued or renewed after  
96.34 January 1, 2014.



97.1 Sec. 32. Minnesota Statutes 2012, section 326A.04, subdivision 3, is amended to read:

97.2 Subd. 3. **Residents of other states.** (a) With regard to an applicant who must  
97.3 obtain a certificate in this state because the applicant does not qualify under the substantial  
97.4 equivalency standard in section 326A.14, subdivision 1, the board shall issue a certificate  
97.5 to a holder of a certificate, license, or permit issued by another state upon a showing that:

97.6 (1) the applicant passed the examination required for issuance of a certificate in  
97.7 this state;

97.8 (2) the applicant had four years of experience of the type described in section  
97.9 326A.03, subdivision 6, paragraph (b), ~~if application is made on or after July 1, 2006,~~  
97.10 ~~or section 326A.03, subdivision 8, if application is made before July 1, 2006;~~ or the  
97.11 applicant meets equivalent requirements prescribed by the board by rule, after passing  
97.12 the examination upon which the applicant's certificate was based and within the ten years  
97.13 immediately preceding the application;

97.14 (3) if the applicant's certificate, license, or permit was issued more than four years  
97.15 prior to the application for issuance of an initial certificate under this subdivision, that the  
97.16 applicant has fulfilled the requirements of continuing professional education that would  
97.17 have been applicable under subdivision 4; and

97.18 (4) the applicant has met the qualifications prescribed by the board by rule.

97.19 (b) A certificate holder licensed by another state who establishes a principal place  
97.20 of business in this state shall request the issuance of a certificate from the board prior to  
97.21 establishing the principal place of business. The board shall issue a certificate to the person  
97.22 if the person's individual certified public accountant qualifications, upon verification, are  
97.23 substantially equivalent to the certified public accountant licensure requirements of this  
97.24 chapter or the person meets equivalent requirements as the board prescribes by rule.  
97.25 Residents of this state who provide professional services in this state at an office location  
97.26 in this state shall be considered to have their principal place of business in this state.

97.27 Sec. 33. Minnesota Statutes 2012, section 326A.04, subdivision 5, is amended to read:

97.28 Subd. 5. **Fee.** (a) The board shall charge a fee for each application for initial  
97.29 issuance or renewal of a certificate under this section as provided in paragraph (b).

97.30 (b) The board shall charge the following fees:

97.31 (1) initial issuance of certificate, \$150;

97.32 (2) renewal of certificate with an active status, \$100 per year;

97.33 (3) initial CPA firm permits, except for sole practitioners, \$100;

97.34 (4) renewal of CPA firm permits, except for sole practitioners and those firms  
97.35 specified in clause (17), \$35 per year;

- 98.1           (5) initial issuance and renewal of CPA firm permits for sole practitioners, except for  
 98.2 those firms specified in clause (17), \$35 per year;
- 98.3           (6) annual late processing delinquency fee for permit, certificate, or registration  
 98.4 renewal applications not received prior to expiration date, \$50;
- 98.5           (7) copies of records, per page, 25 cents;
- 98.6           (8) registration of noncertificate holders, nonlicensees, and nonregistrants in  
 98.7 connection with renewal of firm permits, \$45 per year;
- 98.8           (9) applications for reinstatement, \$20;
- 98.9           (10) initial registration of a registered accounting practitioner, \$50;
- 98.10          (11) initial registered accounting practitioner firm permits, \$100;
- 98.11          (12) renewal of registered accounting practitioner firm permits, except for sole  
 98.12 practitioners, \$100 per year;
- 98.13          (13) renewal of registered accounting practitioner firm permits for sole practitioners,  
 98.14 \$35 per year;
- 98.15          (14) CPA examination application, \$40;
- 98.16          (15) CPA examination, fee determined by third-party examination administrator;
- 98.17          (16) renewal of certificates with an inactive status, \$25 per year; and
- 98.18          (17) renewal of CPA firm permits for firms that have one or more offices located in  
 98.19 another state, \$68 per year.

98.20          Sec. 34. Minnesota Statutes 2012, section 326A.04, subdivision 7, is amended to read:

98.21            Subd. 7. **Certificates issued by foreign countries.** The board shall issue a  
 98.22 certificate to a holder of a generally equivalent foreign country designation, provided that:

98.23            (1) the foreign authority that granted the designation makes similar provision to  
 98.24 allow a person who holds a valid certificate issued by this state to obtain the foreign  
 98.25 authority's comparable designation;

98.26            (2) the foreign designation:

98.27            (i) was duly issued by a foreign authority that regulates the practice of public  
 98.28 accountancy and the foreign designation has not expired or been revoked or suspended;

98.29            (ii) entitles the holder to issue reports upon financial statements; and

98.30            (iii) was issued upon the basis of educational, examination, and experience  
 98.31 requirements established by the foreign authority or by law; and

98.32            (3) the applicant:

98.33            (i) received the designation, based on educational and examination standards  
 98.34 generally equivalent to those in effect in this state, at the time the foreign designation  
 98.35 was granted;

99.1 (ii) has, within the ten years immediately preceding the application, completed an  
99.2 experience requirement that is generally equivalent to the requirement in section 326A.03,  
99.3 subdivision 6, paragraph (b), ~~if application is made on or after July 1, 2006, or section~~  
99.4 ~~326A.03, subdivision 8, if application is made before July 1, 2006,~~ in the jurisdiction that  
99.5 granted the foreign designation; completed four years of professional experience in this  
99.6 state; or met equivalent requirements prescribed by the board by rule; and

99.7 (iii) passed a uniform qualifying examination in national standards and an  
99.8 examination on the laws, regulations, and code of ethical conduct in effect in this state  
99.9 as the board prescribes by rule.

99.10 Sec. 35. Minnesota Statutes 2012, section 326A.10, is amended to read:

99.11 **326A.10 UNLAWFUL ACTS.**

99.12 (a) Only a licensee and individuals who have been granted practice privileges  
99.13 under section 326A.14 may issue a report on financial statements of any person, firm,  
99.14 organization, or governmental unit that results from providing attest services, or offer to  
99.15 render or render any attest service. Only a certified public accountant, an individual who  
99.16 has been granted practice privileges under section 326A.14, a CPA firm, or, to the extent  
99.17 permitted by board rule, a person registered under section 326A.06, paragraph (b), may  
99.18 issue a report on financial statements of any person, firm, organization, or governmental  
99.19 unit that results from providing compilation services or offer to render or render any  
99.20 compilation service. These restrictions do not prohibit any act of a public official or  
99.21 public employee in the performance of that person's duties or prohibit the performance  
99.22 by any nonlicensee of other services involving the use of accounting skills, including  
99.23 the preparation of tax returns, management advisory services, and the preparation of  
99.24 financial statements without the issuance of reports on them. Nonlicensees may prepare  
99.25 financial statements and issue nonattest transmittals or information on them which do not  
99.26 purport to be in compliance with the Statements on Standards for Accounting and Review  
99.27 Services (SSARS). Nonlicensees registered under section 326A.06, paragraph (b), may,  
99.28 to the extent permitted by board rule, prepare financial statements and issue nonattest  
99.29 transmittals or information on them.

99.30 (b) Licensees and individuals who have been granted practice privileges under  
99.31 section 326A.14 performing attest or compilation services must provide those services in  
99.32 accordance with professional standards. To the extent permitted by board rule, registered  
99.33 accounting practitioners performing compilation services must provide those services in  
99.34 accordance with standards specified in board rule.

100.1 (c) A person who does not hold a valid certificate issued under section 326A.04  
100.2 or a practice privilege granted under section 326A.14 shall not use or assume the title  
100.3 "certified public accountant," the abbreviation "CPA," or any other title, designation,  
100.4 words, letters, abbreviation, sign, card, or device tending to indicate that the person is a  
100.5 certified public accountant.

100.6 (d) A firm shall not provide attest services or assume or use the title "certified public  
100.7 accountants," the abbreviation "CPA's," or any other title, designation, words, letters,  
100.8 abbreviation, sign, card, or device tending to indicate that the firm is a CPA firm unless  
100.9 (1) the firm has complied with section 326A.05, and (2) ownership of the firm is in  
100.10 accordance with this chapter and rules adopted by the board.

100.11 (e) A person or firm that does not hold a valid certificate or permit issued under  
100.12 section 326A.04 or 326A.05 or has not otherwise complied with section 326A.04 or  
100.13 326A.05 as required in this chapter shall not assume or use the title "certified accountant,"  
100.14 "chartered accountant," "enrolled accountant," "licensed accountant," "registered  
100.15 accountant," "accredited accountant," "accounting practitioner," "public accountant,"  
100.16 "licensed public accountant," or any other title or designation likely to be confused  
100.17 with the title "certified public accountant," or use any of the abbreviations "CA," "LA,"  
100.18 "RA," "AA," "PA," "AP," "LPA," or similar abbreviation likely to be confused with the  
100.19 abbreviation "CPA." The title "enrolled agent" or "EA" may only be used by individuals  
100.20 so designated by the Internal Revenue Service.

100.21 (f) Persons registered under section 326A.06, paragraph (b), may use the title  
100.22 "registered accounting practitioner" or the abbreviation "RAP." A person who does not  
100.23 hold a valid registration under section 326A.06, paragraph (b), shall not assume or use  
100.24 such title or abbreviation.

100.25 (g) Except to the extent permitted in paragraph (a), nonlicensees may not use  
100.26 language in any statement relating to the financial affairs of a person or entity that is  
100.27 conventionally used by licensees in reports on financial statements. In this regard, the  
100.28 board shall issue by rule safe harbor language that nonlicensees may use in connection  
100.29 with such financial information. A person or firm that does not hold a valid certificate or  
100.30 permit, or a registration issued under section 326A.04, 326A.05, or 326A.06, paragraph  
100.31 (b), or has not otherwise complied with section 326A.04 or 326A.05 as required in this  
100.32 chapter shall not assume or use any title or designation that includes the word "accountant"  
100.33 or "accounting" in connection with any other language, including the language of a report,  
100.34 that implies that the person or firm holds such a certificate, permit, or registration or has  
100.35 special competence as an accountant. A person or firm that does not hold a valid certificate  
100.36 or permit issued under section 326A.04 or 326A.05 or has not otherwise complied with

101.1 section 326A.04 or 326A.05 as required in this chapter shall not assume or use any title  
101.2 or designation that includes the word "auditor" in connection with any other language,  
101.3 including the language of a report, that implies that the person or firm holds such a  
101.4 certificate or permit or has special competence as an auditor. However, this paragraph  
101.5 does not prohibit any officer, partner, member, manager, or employee of any firm or  
101.6 organization from affixing that person's own signature to any statement in reference to the  
101.7 financial affairs of such firm or organization with any wording designating the position,  
101.8 title, or office that the person holds, nor prohibit any act of a public official or employee in  
101.9 the performance of the person's duties as such.

101.10 (h)(1) No person holding a certificate or registration or firm holding a permit under  
101.11 this chapter shall use a professional or firm name or designation that is misleading about  
101.12 the legal form of the firm, or about the persons who are partners, officers, members,  
101.13 managers, or shareholders of the firm, or about any other matter. However, names of one  
101.14 or more former partners, members, managers, or shareholders may be included in the  
101.15 name of a firm or its successor.

101.16 (2) A common brand name or network name part, including common initials, used  
101.17 by a CPA firm in its name, is not misleading if the firm is a network firm as defined in  
101.18 the American Institute of Certified Public Accountants (AICPA) Code of Professional  
101.19 Conduct in effect July 1, 2011, and when offering or rendering services that require  
101.20 independence under AICPA standards, the firm must comply with the AICPA code's  
101.21 applicable standards on independence.

101.22 (i) Paragraphs (a) to (h) do not apply to a person or firm holding a certification,  
101.23 designation, degree, or license granted in a foreign country entitling the holder to engage  
101.24 in the practice of public accountancy or its equivalent in that country, if:

101.25 (1) the activities of the person or firm in this state are limited to the provision of  
101.26 professional services to persons or firms who are residents of, governments of, or business  
101.27 entities of the country in which the person holds the entitlement;

101.28 (2) the person or firm performs no attest or compilation services and issues no reports  
101.29 with respect to the financial statements of any other persons, firms, or governmental  
101.30 units in this state; and

101.31 (3) the person or firm does not use in this state any title or designation other than  
101.32 the one under which the person practices in the foreign country, followed by a translation  
101.33 of the title or designation into English, if it is in a different language, and by the name  
101.34 of the country.

101.35 (j) No holder of a certificate issued under section 326A.04 may perform attest services  
101.36 through any business form that does not hold a valid permit issued under section 326A.05.

102.1 (k) No individual licensee may issue a report in standard form upon a compilation  
102.2 of financial information through any form of business that does not hold a valid permit  
102.3 issued under section 326A.05, unless the report discloses the name of the business through  
102.4 which the individual is issuing the report, and the individual:

102.5 (1) signs the compilation report identifying the individual as a certified public  
102.6 accountant;

102.7 (2) meets the competency requirement provided in applicable standards; and

102.8 (3) undergoes no less frequently than once every three years, a peer review  
102.9 conducted in a manner specified by the board in rule, and the review includes verification  
102.10 that the individual has met the competency requirements set out in professional standards  
102.11 for such services.

102.12 (l) No person registered under section 326A.06, paragraph (b), may issue a report  
102.13 in standard form upon a compilation of financial information unless the board by rule  
102.14 permits the report and the person:

102.15 (1) signs the compilation report identifying the individual as a registered accounting  
102.16 practitioner;

102.17 (2) meets the competency requirements in board rule; and

102.18 (3) undergoes no less frequently than once every three years a peer review conducted  
102.19 in a manner specified by the board in rule, and the review includes verification that the  
102.20 individual has met the competency requirements in board rule.

102.21 (m) Nothing in this section prohibits a practicing attorney or firm of attorneys from  
102.22 preparing or presenting records or documents customarily prepared by an attorney or firm  
102.23 of attorneys in connection with the attorney's professional work in the practice of law.

102.24 (n) The board shall adopt rules that place limitations on receipt by a licensee or a  
102.25 person who holds a registration under section 326A.06, paragraph (b), of:

102.26 (1) contingent fees for professional services performed; and

102.27 (2) commissions or referral fees for recommending or referring to a client any  
102.28 product or service.

102.29 (o) Anything in this section to the contrary notwithstanding, it shall not be a violation  
102.30 of this section for a firm not holding a valid permit under section 326A.05 and not having  
102.31 an office in this state to provide its professional services in this state so long as it complies  
102.32 with the applicable requirements of section 326A.05, subdivision 1.

102.33 **Sec. 36. REVISOR'S INSTRUCTION.**

102.34 (a) The revisor of statutes shall change the term "manicurist" to "nail technician"  
102.35 wherever it appears in Minnesota Rules and Statutes.

103.1 (b) The revisor of statutes shall change the term "licensed" to "registered" and  
 103.2 "license" to "registration" wherever it appears in Minnesota Statutes, chapter 154, or  
 103.3 applicable Minnesota Rules.

103.4 Sec. 37. **REPEALER.**

103.5 (a) Minnesota Statutes 2012, sections 116W.01; 116W.02; 116W.03; 116W.035;  
 103.6 116W.04; 116W.05; 116W.06; 116W.20; 116W.21; 116W.23; 116W.24; 116W.25;  
 103.7 116W.26; 116W.27; 116W.28; 116W.29; 116W.30; 116W.31; 116W.32; 116W.33;  
 103.8 116W.34; 155A.25, subdivision 1; and 326A.03, subdivisions 2, 5, and 8, are repealed.

103.9 (b) Minnesota Rules, parts 1105.0600; 1105.2550; and 1105.2700, are repealed.

103.10 **ARTICLE 6**

103.11 **COMMERCE AND CONSUMER PROTECTION APPROPRIATIONS**

103.12 Section 1. **SUMMARY OF APPROPRIATIONS.**

103.13 The amounts shown in this section summarize direct appropriations, by fund, made  
 103.14 in this article.

	<b><u>2014</u></b>		<b><u>2015</u></b>		<b><u>Total</u></b>
103.16 <u>General</u>	\$ 44,608,000	\$	44,868,000	\$	89,476,000
103.17 <u>Special Revenue</u>	4,898,000		4,940,000		9,838,000
103.18 <u>Petroleum Tank</u>	1,052,000		1,052,000		2,104,000
103.19 <u>Workers' Compensation</u>	751,000		751,000		1,502,000
103.20 <u>Lottery Prize Fund</u>	225,000		225,000		450,000
103.21 <b><u>Total</u></b>	<b>\$ 51,534,000</b>	<b>\$</b>	<b>51,836,000</b>	<b>\$</b>	<b>103,370,000</b>

103.22 Sec. 2. **COMMERCE AND CONSUMER PROTECTION APPROPRIATIONS.**

103.23 The sums shown in the columns marked "Appropriations" are appropriated to the  
 103.24 agencies and for the purposes specified in this article. The appropriations are from the  
 103.25 general fund, or another named fund, and are available for the fiscal years indicated  
 103.26 for each purpose. The figures "2014" and "2015" used in this article mean that the  
 103.27 appropriations listed under them are available for the fiscal year ending June 30, 2014, or  
 103.28 June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal  
 103.29 year 2015. "The biennium" is fiscal years 2014 and 2015.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2014</u></b>	<b><u>2015</u></b>
103.30		
103.31		
103.32		
103.33		





105.1 Fees for the Weights and Measures Unit are  
 105.2 increased by 30 percent during fiscal year  
 105.3 2014. All fees are deposited to the general  
 105.4 fund as nondedicated revenue.

105.5 **Base adjustment.** \$174,000 in fiscal year  
 105.6 2014 and \$350,000 in fiscal year 2015 is  
 105.7 added to the base.

105.8 **Subd. 5. Telecommunications** 1,509,000      1,259,000

105.9 \$500,000 in fiscal year 2014 and \$250,000  
 105.10 in fiscal year 2015 are for the Broadband  
 105.11 Development Office. \$250,000 of the  
 105.12 appropriation for fiscal year 2014 is a onetime  
 105.13 appropriation for grants to low-payment-rate  
 105.14 nursing facilities for information technology  
 105.15 or telecommunications equipment upgrades.

105.16 The following transfer is from the  
 105.17 telecommunications access Minnesota  
 105.18 fund. \$500,000 the first year and \$800,000  
 105.19 the second year and each year thereafter  
 105.20 are for transfer to the commissioner of  
 105.21 human services to supplement the ongoing  
 105.22 operational expenses of the Commission  
 105.23 of Deaf, DeafBlind, and Hard-of-Hearing  
 105.24 Minnesotans.

105.25 **Subd. 6. Enforcement** 4,824,000      4,820,000

	<u>Appropriations by Fund</u>	
105.26 <u>General</u>	<u>4,626,000</u>	<u>4,622,000</u>
105.27 <u>Workers'</u>		
105.28 <u>Compensation</u>	<u>198,000</u>	<u>198,000</u>

105.30 Of the general fund amount, \$646,000 in  
 105.31 fiscal year 2014 and \$642,000 in fiscal year  
 105.32 2015 is to establish the regulation of gold  
 105.33 bullion dealers.

105.34 **Subd. 7. Energy Resources** 3,252,000      3,252,000

106.1	<u>Subd. 8. Insurance</u>		<u>3,915,000</u>	<u>3,915,000</u>
106.2	<u>Appropriations by Fund</u>			
106.3	<u>General</u>	<u>3,362,000</u>	<u>3,362,000</u>	
106.4	<u>Workers'</u>			
106.5	<u>Compensation</u>	<u>553,000</u>	<u>553,000</u>	
106.6	Sec. 4. <u>PUBLIC UTILITIES COMMISSION</u>	\$	<u>6,226,000</u>	<u>6,277,000</u>
106.7	<u>Base adjustment. \$48,000 in fiscal year</u>			
106.8	<u>2014 and \$99,000 in fiscal year 2015 is</u>			
106.9	<u>added to the base.</u>			
106.10	Sec. 5. <u>GAMBLING CONTROL</u>	\$	<u>3,989,000</u>	<u>4,021,000</u>
106.11	<u>These appropriations are from the lawful</u>			
106.12	<u>gambling regulation account in the special</u>			
106.13	<u>revenue fund.</u>			
106.14	<u>Base adjustment. \$30,000 in fiscal year</u>			
106.15	<u>2014 and \$62,000 in fiscal year 2015 is</u>			
106.16	<u>added to the base.</u>			
106.17	Sec. 6. <u>RACING COMMISSION</u>	\$	<u>909,000</u>	<u>919,000</u>
106.18	<u>These appropriations are from the racing</u>			
106.19	<u>and card playing regulation accounts in the</u>			
106.20	<u>special revenue fund.</u>			
106.21	<u>Base adjustment. \$10,000 in fiscal year</u>			
106.22	<u>2014 and \$20,000 in fiscal year 2015 is</u>			
106.23	<u>added to the base.</u>			
106.24	Sec. 7. <u>STATE LOTTERY</u>			
106.25	<u>Notwithstanding Minnesota Statutes, section</u>			
106.26	<u>349A.10, subdivision 3, the operating budget</u>			
106.27	<u>must not exceed \$30,500,000 in fiscal year</u>			
106.28	<u>2014 and \$30,500,000 in fiscal year 2015.</u>			
106.29	Sec. 8. <u>EXPLORE MINNESOTA TOURISM</u>	\$	<u>14,059,000</u>	<u>14,096,000</u>

107.1 (a) Of this amount, \$12,000 each year is for a  
107.2 grant to the Upper Minnesota Film Office.

107.3 (b)(1) To develop maximum private sector  
107.4 involvement in tourism, \$500,000 in fiscal  
107.5 year 2014 and \$500,000 in fiscal year 2015  
107.6 must be matched by Explore Minnesota  
107.7 Tourism from nonstate sources. Each \$1 of  
107.8 state incentive must be matched with \$6 of  
107.9 private sector funding. Cash match is defined  
107.10 as revenue to the state or documented cash  
107.11 expenditures directly expended to support  
107.12 Explore Minnesota Tourism programs. Up  
107.13 to one-half of the private sector contribution  
107.14 may be in-kind or soft match. The incentive  
107.15 in fiscal year 2014 shall be based on fiscal  
107.16 year 2013 private sector contributions. The  
107.17 incentive in fiscal year 2015 shall be based on  
107.18 fiscal year 2014 private sector contributions.  
107.19 This incentive is ongoing.

107.20 (2) Funding for the marketing grants is  
107.21 available either year of the biennium.  
107.22 Unexpended grant funds from the first year  
107.23 are available in the second year.

107.24 (3) Unexpended money from the general  
107.25 fund appropriations made under this section  
107.26 does not cancel but must be placed in a  
107.27 special marketing account for use by Explore  
107.28 Minnesota Tourism for additional marketing  
107.29 activities.

107.30 (c) \$325,000 in fiscal year 2014 and \$325,000  
107.31 in fiscal year 2015 are for the Minnesota  
107.32 Film and TV Board. The appropriation in  
107.33 each year is available only upon receipt by  
107.34 the board of \$1 in matching contributions  
107.35 of money or in-kind contributions from

108.1 nonstate sources for every \$3 provided by  
108.2 this appropriation, except that each year up  
108.3 to \$50,000 is available on July 1 even if the  
108.4 required matching contribution has not been  
108.5 received by that date.

108.6 (d) **Base adjustment.** \$34,000 in fiscal  
108.7 year 2014 and \$71,000 in fiscal year 2015  
108.8 is added to the base.

108.9 **Sec. 9. PROBLEM GAMBLING APPROPRIATION.**

108.10 \$225,000 in fiscal year 2014 and \$225,000 in fiscal year 2015 are appropriated  
108.11 from the lottery prize fund to the commissioner of human services for a grant to the  
108.12 state affiliate recognized by the National Council on Problem Gambling. The affiliate  
108.13 must provide services to increase public awareness of problem gambling, education,  
108.14 and training for individuals and organizations providing effective treatment services to  
108.15 problem gamblers and their families, and research relating to problem gambling. These  
108.16 services must be complementary to and not duplicative of the services provided through  
108.17 the problem gambling program administered by the commissioner of human services.  
108.18 This is a onetime appropriation.

108.19 **ARTICLE 7**

108.20 **COMMERCE AND CONSUMER PROTECTION POLICY**

108.21 Section 1. Minnesota Statutes 2012, section 60A.14, subdivision 1, is amended to read:

108.22 Subdivision 1. **Fees other than examination fees.** In addition to the fees and  
108.23 charges provided for examinations, the following fees must be paid to the commissioner  
108.24 for deposit in the general fund:

108.25 (a) by township mutual fire insurance companies;

108.26 (1) for filing certificate of incorporation \$25 and amendments thereto, \$10;

108.27 (2) for filing annual statements, \$15;

108.28 (3) for each annual certificate of authority, \$15;

108.29 (4) for filing bylaws \$25 and amendments thereto, \$10;

108.30 (b) by other domestic and foreign companies including fraternal and reciprocal  
108.31 exchanges;

108.32 (1) for filing an application for an initial certification of authority to be admitted  
108.33 to transact business in this state, \$1,500;

- 109.1 (2) for filing certified copy of certificate of articles of incorporation, \$100;
- 109.2 (3) for filing annual statement, \$225;
- 109.3 (4) for filing certified copy of amendment to certificate or articles of incorporation,
- 109.4 \$100;
- 109.5 (5) for filing bylaws, \$75 or amendments thereto, \$75;
- 109.6 (6) for each company's certificate of authority, \$575, annually;
- 109.7 (c) the following general fees apply:
- 109.8 (1) for each certificate, including certified copy of certificate of authority, renewal,
- 109.9 valuation of life policies, corporate condition or qualification, \$25;
- 109.10 (2) for each copy of paper on file in the commissioner's office 50 cents per page,
- 109.11 and \$2.50 for certifying the same;
- 109.12 (3) for license to procure insurance in unadmitted foreign companies, \$575;
- 109.13 (4) for valuing the policies of life insurance companies, one cent per \$1,000 of
- 109.14 insurance so valued, provided that the fee shall not exceed \$13,000 per year for any
- 109.15 company. The commissioner may, in lieu of a valuation of the policies of any foreign life
- 109.16 insurance company admitted, or applying for admission, to do business in this state, accept
- 109.17 a certificate of valuation from the company's own actuary or from the commissioner of
- 109.18 insurance of the state or territory in which the company is domiciled;
- 109.19 (5) for receiving and filing certificates of policies by the company's actuary, or by
- 109.20 the commissioner of insurance of any other state or territory, \$50;
- 109.21 (6) for each appointment of an agent filed with the commissioner, ~~\$10~~ \$30;
- 109.22 (7) for filing forms, rates, and compliance certifications under section 60A.315, \$140
- 109.23 per filing, or \$125 per filing when submitted via electronic filing system. Filing fees
- 109.24 may be paid on a quarterly basis in response to an invoice. Billing and payment may
- 109.25 be made electronically;
- 109.26 (8) for annual renewal of surplus lines insurer license, \$300.
- 109.27 The commissioner shall adopt rules to define filings that are subject to a fee.

109.28 **Sec. 2. [80G.01] REGISTRATION.**

109.29 (a) The fee for each registration under this chapter shall be as follows:

109.30 (1) bullion coin dealers, \$25; and

109.31 (2) coin dealer representatives, \$10.

109.32 (b) The commissioner, based on the cost of processing registrations, may adjust the

109.33 registration fee on an annual basis as needed.

109.34 **Sec. 3. [161.462] FIBER COLLABORATION DATABASE.**

110.1 Subdivision 1. Purpose. The purpose of the fiber collaboration database is  
110.2 to provide broadband providers with advance notice of upcoming Department of  
110.3 Transportation construction projects, so that they may notify the department of their  
110.4 interest in installing broadband infrastructure within the right-of-way during construction  
110.5 in order to minimize installation costs.

110.6 Subd. 2. Database. (a) The Department of Transportation shall post on its Web site,  
110.7 and update annually, the list of upcoming construction projects contained in its statewide  
110.8 transportation improvement program, including, for each project:

110.9 (1) the geographical location where construction will occur;

110.10 (2) the estimated start and end dates of construction; and

110.11 (3) a description of the nature of the construction project.

110.12 (b) The department shall post this information as far in advance of the beginning of  
110.13 construction as is feasible.

110.14 (c) The department's Web site shall allow a provider of broadband service to register  
110.15 to receive from the department electronic information on proposed construction projects  
110.16 added to the database in specific geographical areas of the state as soon as it is updated.

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

110.18 Sec. 4. Minnesota Statutes 2012, section 237.012, subdivision 3, is amended to read:

110.19 Subd. 3. Annual reports. The commissioner of commerce must annually by  
110.20 February 10 report on the achievement of the goals under subdivisions 1 and 2 to the chairs  
110.21 and ranking minority members of the legislative committees with primary jurisdiction  
110.22 over telecommunication issues. The report must also suggest policies, incentives, and  
110.23 legislation designed to accelerate the achievement of the goals. The report on goals under  
110.24 subdivision 1 must be made through 2015.

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

110.26 Sec. 5. [237.85] OFFICE OF BROADBAND DEVELOPMENT.

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

110.29 (b) "Broadband" or "broadband service" means any service providing advanced  
110.30 telecommunications capability and Internet access with transmission speeds that, at a  
110.31 minimum, meet the Federal Communications Commission definition for broadband.

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

111.1 (d) "Office" means the Office of Broadband Development established in subdivision  
111.2 2, paragraph (a).

111.3 Subd. 2. **Office established; purpose.** (a) An Office of Broadband Development is  
111.4 established within the Department of Commerce.

111.5 (b) The purpose of the office is to encourage, foster, develop, and improve broadband  
111.6 within the state in order to:

111.7 (1) drive job creation, promote innovation, and expand markets for Minnesota  
111.8 businesses;

111.9 (2) serve the ongoing and growing needs of Minnesota's education systems, health  
111.10 care system, public safety system, industries and businesses, governmental operations,  
111.11 and citizens; and

111.12 (3) improve accessibility for underserved communities and populations.

111.13 Subd. 3. **Organization.** The office shall consist of a director of the Office of  
111.14 Broadband Development, as well as any staff necessary to carry out the office's duties  
111.15 under subdivision 4.

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

111.17 (1) serve as the central broadband planning body for the state of Minnesota;

111.18 (2) coordinate with state, regional, local, and private entities to develop, to the  
111.19 maximum extent practicable, a uniform statewide broadband access and usage policy;

111.20 (3) develop, recommend, and implement a statewide plan to encourage cost-effective  
111.21 broadband access, and to make recommendations for increased usage, particularly in  
111.22 rural and other underserved areas;

111.23 (4) coordinate efforts, in consultation and cooperation with the commissioner of  
111.24 commerce, local units of government, and private entities, to meet the state's broadband  
111.25 goals in section 237.012;

111.26 (5) develop, coordinate, and implement the state's broadband infrastructure  
111.27 development program under section 237.90;

111.28 (6) provide consultation services to local units of government or other project  
111.29 sponsors in connection with the planning, acquisition, improvement, construction, or  
111.30 development of any broadband deployment project;

111.31 (7) encourage public-private partnerships to increase deployment and adoption  
111.32 of broadband services and applications, including recommending funding options and  
111.33 possible incentives to encourage investment in broadband expansion;

111.34 (8) monitor the broadband development efforts of other states and nations in areas  
111.35 such as business, education, public safety, and health;

112.1 (9) monitor broadband-related activities at the federal level, including regulatory and  
112.2 policy changes and the potential impact on broadband deployment and sustainability in  
112.3 the state;

112.4 (10) serve as an information clearinghouse for federal programs providing financial  
112.5 assistance to institutions located in rural areas seeking to obtain access to high speed  
112.6 broadband service, and use this information as an outreach tool to make institutions  
112.7 located in rural areas that are unserved or underserved with respect to broadband service  
112.8 aware of the existence of federal assistance;

112.9 (11) coordinate an ongoing collaborative effort of stakeholders to evaluate and  
112.10 address security, vulnerability, and redundancy issues important to ensure the reliability  
112.11 of broadband networks;

112.12 (12) provide an annual report, as required by subdivision 5; and

112.13 (13) perform any other activities consistent with the office's purpose.

112.14 Subd. 5. **Reporting.** (a) Beginning on January 15, 2014, and each year thereafter,  
112.15 the Office of Broadband Development shall report to the legislative committees having  
112.16 jurisdiction over telecommunications policy and finance on the office's activities during  
112.17 the previous year.

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

112.19 (1) an analysis of the current availability and use of broadband, including average  
112.20 broadband speeds, within the state;

112.21 (2) information gathered from schools, libraries, hospitals, and public safety  
112.22 facilities across the state, determining the actual speed and capacity of broadband currently  
112.23 in use and the need, if any, for increases in speed and capacity to meet basic needs;

112.24 (3) an analysis of incumbent broadband infrastructure within the state and its ability  
112.25 to spur economic development;

112.26 (4) an analysis of the degree to which new, additional, or improved broadband  
112.27 infrastructure would spur economic development in the state;

112.28 (5) a summary of the office's activities in coordinating broadband infrastructure  
112.29 development under section 237.90;

112.30 (6) any proposed legislative and policy initiatives; and

112.31 (7) any other information requested by the legislative committees having jurisdiction  
112.32 over telecommunications policy and finance, or that the office deems necessary.

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

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



113.1 Sec. 6. [237.90] COORDINATION OF BROADBAND INFRASTRUCTURE  
113.2 DEVELOPMENT.

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

113.5 (b) "Broadband" or "broadband service" has the meaning given in section 237.85,  
113.6 subdivision 1, paragraph (b).

113.7 (c) "Broadband conduit" means a conduit, pipe, innerduct, or microduct for fiber  
113.8 optic or other cables that support broadband and wireless facilities for broadband service.

113.9 (d) "Local unit of government" has the meaning given in section 116G.03,  
113.10 subdivision 3.

113.11 (e) "Office" means the Office of Broadband Development established in section  
113.12 237.85.

113.13 Subd. 2. Broadband infrastructure development. (a) The office shall, in  
113.14 collaboration with the Department of Transportation and private entities, encourage and  
113.15 coordinate "dig once" efforts for the planning, relocation, installation, or improvement of  
113.16 broadband conduit within the right-of-way in conjunction with any current or planned  
113.17 construction, including, but not limited to, trunk highways and bridges. To the extent  
113.18 necessary, the office shall, in collaboration with the Department of Transportation,  
113.19 evaluate engineering and design standards, procedures and criteria for contracts or lease  
113.20 agreements with private entities, and pricing requirements, and provide for allocation  
113.21 of risk, costs, and any revenue generated.

113.22 (b) The office shall, in collaboration with other state departments and agencies as the  
113.23 office deems necessary, develop a strategy to facilitate the timely and efficient deployment  
113.24 of broadband conduit or other broadband facilities on state-owned lands and buildings.

113.25 (c) To the extent practicable, the office shall encourage and assist local units of  
113.26 government to adopt and implement policies similar to those under paragraphs (a) and (b)  
113.27 for construction or other improvements to county state-aid highways, municipal state-aid  
113.28 roads, and any other rights-of-way under the local unit of government's jurisdiction, and to  
113.29 other lands or buildings owned by the local unit of government.

113.30 (d) Special consideration must be paid to projects under this subdivision that will  
113.31 likely improve access to broadband by rural or underserved communities.

113.32 Subd. 3. Reporting. As part of its annual report under section 237.85, subdivision  
113.33 5, the office shall report on activities taken under this section, including, but not limited to,  
113.34 the number of current and planned projects using the "dig once" approach, any gains in  
113.35 broadband speed or access associated with the project, and any costs or cost savings to  
113.36 the state, private entity, or end user of broadband services.

114.1 Subd. 4. **No right of action.** Nothing in this section shall be construed to create  
114.2 any right or benefit, substantive or procedural, enforceable at law or in equity by any  
114.3 party against the state of Minnesota, its departments, agencies, or entities, its officers,  
114.4 employees, or agents, or any other person.

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

114.6 Sec. 7. Minnesota Statutes 2012, section 239.101, subdivision 3, is amended to read:

114.7 **Subd. 3. Petroleum inspection fee; appropriation, uses.** (a) An inspection fee  
114.8 is imposed (1) on petroleum products when received by the first licensed distributor,  
114.9 and (2) on petroleum products received and held for sale or use by any person when the  
114.10 petroleum products have not previously been received by a licensed distributor. The  
114.11 petroleum inspection fee is \$1 for every 1,000 gallons received. The commissioner of  
114.12 revenue shall collect the fee. The revenue from ~~84~~ 89 cents of the fee is appropriated to  
114.13 the commissioner of commerce for the cost of operations of the Division of Weights and  
114.14 Measures, petroleum supply monitoring, and to make grants to providers of low-income  
114.15 weatherization services to install renewable energy equipment in households that are  
114.16 eligible for weatherization assistance under Minnesota's weatherization assistance  
114.17 program state plan. The remainder of the fee must be deposited in the general fund.

114.18 (b) The commissioner of revenue shall credit a person for inspection fees previously  
114.19 paid in error or for any material exported or sold for export from the state upon filing of a  
114.20 report as prescribed by the commissioner of revenue.

114.21 (c) The commissioner of revenue may collect the inspection fee along with any  
114.22 taxes due under chapter 296A.

114.23 Sec. 8. Minnesota Statutes 2012, section 507.235, subdivision 2, is amended to read:

114.24 **Subd. 2. Penalty for failure to file.** (a) A vendee who fails to record a contract for  
114.25 deed, as required by subdivision 1, is subject to a civil penalty, payable under subdivision  
114.26 5, equal to two percent of the principal amount of the contract debt, unless the vendee  
114.27 has not received a copy of the contract for deed in recordable form, as required under  
114.28 subdivision 1a. Payments of the penalty shall be deposited in the general fund of the  
114.29 county. The penalty may be enforced as a lien against the vendee's interest in the property.

114.30 (b) A person receiving an assignment of a vendee's interest in a contract for deed  
114.31 who fails to record the assignment as required by subdivision 1 is subject to a civil penalty,  
114.32 payable under subdivision 5, equal to two percent of the original principal amount of the  
114.33 contract debt. Payments of the penalty must be deposited in the general fund of the county.  
114.34 The penalty may be enforced as a lien against the vendee's interest in the property.

115.1 Sec. 9. **[559.201] DEFINITIONS.**

115.2 Subdivision 1. **Application.** The definitions in this section apply to section 559.202.

115.3 Subd. 2. **Business day.** "Business day" means any day other than a Saturday,  
115.4 Sunday, or holiday as defined in section 645.44, subdivision 5.

115.5 Subd. 3. **Family farm security loan.** "Family farm security loan" has the meaning  
115.6 given in Minnesota Statutes 2008, section 41.52, subdivision 5.

115.7 Subd. 4. **Multiple seller.** "Multiple seller" means a person that has acted as a seller  
115.8 in four or more contracts for deed involving residential real property during the 12-month  
115.9 period that precedes either: (1) the date on which the purchaser executes a purchase  
115.10 agreement under section 559.202; or (2) if there is no purchase agreement, the date on  
115.11 which the purchaser executes a contract for deed under section 559.202. A contract for  
115.12 deed transaction that is exempt under section 559.202, subdivision 2, is a contract for deed  
115.13 for the purposes of determining whether a seller is a multiple seller.

115.14 Subd. 5. **Person.** "Person" means a natural person, partnership, corporation, limited  
115.15 liability company, association, trust, or other legal entity, however organized.

115.16 Subd. 6. **Purchase agreement.** "Purchase agreement" means a purchase agreement  
115.17 for a contract for deed, an earnest money contract, or an executed option contemplating  
115.18 that, at closing, the seller and the purchaser will enter into a contract for deed.

115.19 Subd. 7. **Purchaser.** "Purchaser" means a natural person who enters into a contract  
115.20 for deed to purchase residential real property. Purchaser includes all purchasers who enter  
115.21 into the same contract for deed to purchase residential real property.

115.22 Subd. 8. **Residential real property.** "Residential real property" means real property  
115.23 consisting of one to four family dwelling units, one of which the purchaser intends to  
115.24 occupy as the purchaser's principal place of residence. Residential real property does  
115.25 not include property subject to a family farm security loan or a transaction subject to  
115.26 sections 583.20 to 583.32.

115.27 Sec. 10. **[559.202] CONTRACTS FOR DEED INVOLVING RESIDENTIAL**  
115.28 **PROPERTY.**

115.29 Subdivision 1. **Notice required.** (a) In addition to the disclosures required under  
115.30 sections 513.52 to 513.60, a multiple seller must deliver the notice specified under  
115.31 subdivision 3 to a prospective purchaser as provided under this subdivision.

115.32 (b) If there is a purchase agreement, the notice must be affixed to the front of  
115.33 the purchase agreement. A contract for deed for which notice is required under this  
115.34 subdivision may not be executed for five business days following the execution of the  
115.35 purchase agreement and delivery of the notice and instructions for cancellation.

116.1 (c) If there is no purchase agreement, a multiple seller must deliver the notice in a  
 116.2 document separate from any other document or writing to a prospective purchaser no less  
 116.3 than five business days before the prospective purchaser executes the contract for deed.

116.4 (d) The notice must be:

116.5 (1) written in at least 12-point type; and

116.6 (2) signed and dated by the purchaser.

116.7 (e) If a dispute arises concerning whether or when the notice required by this  
 116.8 subdivision was provided to the purchaser, there is a rebuttable presumption that the notice  
 116.9 was not provided unless the original executed contract for deed contains the following  
 116.10 statement, initialed by the purchaser: "By initialing here ..... purchaser acknowledges  
 116.11 receipt at least five business days before signing this contract for deed of the disclosure  
 116.12 statement entitled "Important Information About Contracts for Deed" required by  
 116.13 Minnesota Statutes, section 559.202, subdivision 3."

116.14 Subd. 2. **Exception.** This section does not apply if the purchaser is represented  
 116.15 throughout the transaction by either:

116.16 (1) a person licensed to practice law in this state; or

116.17 (2) a person licensed as a real estate broker or salesperson under chapter 82,  
 116.18 provided that the representation does not create a dual agency, as that term is defined  
 116.19 in section 82.55, subdivision 6.

116.20 Subd. 3. **Content of the notice.** The notice must contain the following verbatim  
 116.21 language:

116.22 **"IMPORTANT INFORMATION ABOUT CONTRACTS FOR DEED**

116.23 **Know What You Are Getting Into**

116.24 (1) A contract for deed is a complex legal agreement. You are NOT a tenant. Mortgage  
 116.25 foreclosure laws don't apply.

116.26 (2) You should know ALL of your obligations and rights before you sign a purchase  
 116.27 agreement or contract for deed.

116.28 (3) You (seller must circle one):

116.29 (a) DO DO NOT have to pay homeowner's insurance.

116.30 (b) DO DO NOT have to pay property taxes.

116.31 (c) DO DO NOT have to make and pay for some or all of the repairs or  
 116.32 maintenance, as described in the contract for deed.

116.33 (4) After some time, you may need to make a large lump sum payment (called a "balloon  
 116.34 payment"). Know when it is due and how much it will be. You'll probably need to get a  
 116.35 new mortgage, another financial arrangement, or pay for the balance in cash at that time.

117.1 (5) If you miss just a single payment or can't make the balloon payment, the seller can  
117.2 cancel your contract. You will likely lose all the money you have already paid. You will  
117.3 likely lose your ability to purchase the home. The seller can begin an eviction action  
117.4 against you in just a few months.

117.5 (6) Within four months of signing the contract for deed, you must "record" it in the office  
117.6 of the county recorder or registrar of titles in the county in which the property is located.  
117.7 If you do not do so, you could face a fine.

117.8 **Key Things Highly Recommended Before You Sign**

117.9 (1) Get advice from a lawyer or the Minnesota Home Ownership Center at  
117.10 1-866-462-6466. To find a lawyer through the Minnesota State Bar Association, go to  
117.11 www.mnfindalawyer.com.

117.12 (2) Get an independent, professional appraisal of the property to learn what it is worth.

117.13 (3) Get an independent, professional inspection of the property.

117.14 (4) Buy title insurance or ask a real estate lawyer for a "title opinion."

117.15 (5) Check with the city or county to find out if there are inspection reports or unpaid  
117.16 utility bills.

117.17 (6) Check with a title company or the county where the property is located to find out if  
117.18 there is a mortgage or other lien on the property and if the property taxes have been paid.

117.19 **If You Are Entering into a Purchase Agreement**

117.20 (1) If you haven't already signed the contract for deed, you can cancel the purchase  
117.21 agreement (and get all your money back) if you do so within five business days after  
117.22 getting this notice.

117.23 (2) To cancel the purchase agreement, you must follow the provisions of Minnesota  
117.24 Statutes, section 559.217, subdivision 4. Ask a lawyer for help."

117.25 Subd. 4. **Right to cancel purchase agreement.** (a) A prospective purchaser may  
117.26 cancel a purchase agreement within five business days after actually receiving the notice  
117.27 required under subdivision 1 if a multiple seller fails to timely deliver the notice, provided  
117.28 that the contract for deed has not been executed by all parties.

117.29 (b) A prospective purchaser may cancel the purchase agreement in accordance with  
117.30 the provisions of section 559.217, subdivision 4.

117.31 (c) In the event of cancellation, the multiple seller may not impose a penalty and must  
117.32 promptly refund all payments made by the prospective purchaser prior to cancellation.

118.1 Subd. 5. Remedies for failure to timely deliver notices. (a) Notwithstanding  
118.2 any contrary provision in the purchase agreement or contract for deed, a purchaser has  
118.3 a private right of action against a multiple seller who fails to timely deliver the notice  
118.4 required under subdivision 1. The multiple seller is liable to the purchaser for:

118.5 (1) the greater of actual damages or statutory damages of \$2,500; and

118.6 (2) reasonable attorney fees and court costs.

118.7 (b) A multiple seller who knowingly fails to timely deliver the notice required  
118.8 under subdivision 1 is liable to the purchaser for triple the actual or statutory damages  
118.9 available under paragraph (a), whichever is greater, provided that the purchaser must elect  
118.10 the remedy provided under either paragraph (a) or this paragraph and may not recover  
118.11 damages under both paragraphs.

118.12 (c) The rights and remedies provided in this subdivision are cumulative to, and not  
118.13 a limitation of, any other rights and remedies provided under law. An action brought  
118.14 pursuant to this subdivision must be commenced within four years from the date of the  
118.15 alleged violation.

118.16 Subd. 6. Effects of violation. A violation of this section has no effect on the  
118.17 validity of the contract.

118.18 Subd. 7. Duty of multiple seller to account. Upon reasonable request by the  
118.19 purchaser and no more than once every 12-month period, a multiple seller must provide an  
118.20 accounting of all payments made pursuant to the contract for deed, the amount of interest  
118.21 paid, and the amount remaining to satisfy the principal balance under the contract.

118.22 Subd. 8. No waiver. The provisions of this section may not be waived.

118.23 EFFECTIVE DATE. This section is effective August 1, 2013, and applies to  
118.24 transactions in which the contract for deed and the purchase agreement for the contract  
118.25 for deed, if any, were both executed on or after that date.

118.26 Sec. 11. Minnesota Statutes 2012, section 559.211, subdivision 2, is amended to read:

118.27 Subd. 2. Remedies additional. The remedies provided in this section are in  
118.28 addition to and do not limit other rights or remedies available to purchasers or vendors of  
118.29 real estate. Subject to the provisions of sections 559.213 and 559.217, subdivision 7, this  
118.30 section shall not be construed to bar a court from determining the validity, effectiveness,  
118.31 or consequences of proceeding under section 559.21 or 559.217, or granting other relief in  
118.32 connection therewith, by reason of the failure of a purchaser to seek or obtain relief under  
118.33 this section prior to the purported effective date of the termination of the contract.

119.1 Sec. 12. Laws 2011, First Special Session chapter 2, article 2, section 3, subdivision 4,  
119.2 is amended to read:

119.3 Subd. 4. **Administrative Services** 4,247,000 4,247,000

119.4 \$375,000 each year is for additional  
119.5 compliance efforts with unclaimed property.

119.6 The commissioner may issue contracts  
119.7 for these services. ~~This additional amount~~  
119.8 ~~shall be added to the base budget for fiscal~~  
119.9 ~~years 2014 and 2015 only. The enhanced~~  
119.10 ~~unclaimed property compliance program~~  
119.11 ~~shall sunset June 30, 2015.~~

119.12 Sec. 13. **STATE BROADBAND STRATEGY; REPORT.**

119.13 The Office of Broadband Development shall conduct research and produce a report  
119.14 recommending a set of programs and strategies the state can pursue to promote the  
119.15 improvement, more efficient and effective use, and expansion of broadband services in  
119.16 ways that will have the greatest impact on the state's economic development, by which is  
119.17 meant enhancing the ability of Minnesota citizens and businesses to develop their skills,  
119.18 to expand businesses to new markets, develop new products, reach more customers, and  
119.19 lower costs. While the state's broadband goals in section 237.012 address the universal  
119.20 provision of greater broadband access and speed statewide, this report must consider  
119.21 broadband as an economic development tool and must examine and analyze:

119.22 (1) how the state can best use its limited resources to adopt strategies and make  
119.23 investments to improve the use of broadband services by subgroups of broadband users,  
119.24 including mobile broadband users, that promise to deliver the greatest economic impact  
119.25 per dollar of state investment;

119.26 (2) roles the state can play in addition to financial assistance for broadband  
119.27 infrastructure, including supporting education and training for Minnesotans to enable  
119.28 them to use broadband more effectively; and

119.29 (3) strategies and opportunities for state investment to leverage additional amounts  
119.30 of private capital and financial assistance from the federal government in order to achieve  
119.31 these goals.

119.32 By January 15, 2014, the office shall submit the report to the chairs and ranking minority  
119.33 members of the senate and house committees with jurisdiction over telecommunications  
119.34 issues.

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

120.2 Sec. 14. **REPEALER.**

120.3 Minnesota Statutes 2012, section 507.235, subdivision 4, is repealed effective the  
 120.4 day following final enactment.

120.5 **ARTICLE 8**

120.6 **HOUSING FINANCE**

120.7 Section 1. **HOUSING FINANCE AGENCY.**

120.8 The sums shown in the columns marked "APPROPRIATIONS" are appropriated  
 120.9 to the agencies and for the purposes specified in this act. The appropriations are from  
 120.10 the general fund, or another named fund, and are available for the fiscal years indicated  
 120.11 for each purpose. The figures "2014" and "2015" used in this article mean that the  
 120.12 appropriations listed under them are available for the fiscal year ending June 30, 2014, or  
 120.13 June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal  
 120.14 year 2015. "The biennium" is fiscal years 2014 and 2015.

120.15		<b><u>APPROPRIATIONS</u></b>	
120.16		<b><u>Available for the Year</u></b>	
120.17		<b><u>Ending June 30</u></b>	
120.18		<b><u>2014</u></b>	<b><u>2015</u></b>

120.19 Sec. 2. **APPROPRIATIONS.**

120.20	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>50,048,000</u></b>	<b><u>\$</u></b>	<b><u>48,048,000</u></b>
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120.21 The amounts that may be spent for each  
 120.22 purpose are specified in the following  
 120.23 subdivisions.

120.24 Unless otherwise specified, this appropriation  
 120.25 is for transfer to the housing development  
 120.26 fund for the programs specified in this  
 120.27 section. Except as otherwise indicated, this  
 120.28 transfer is part of the agency's permanent  
 120.29 budget base.

120.30	<b><u>Subd. 2. Challenge Program</u></b>	<b><u>10,227,000</u></b>	<b><u>10,227,000</u></b>
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120.31 (a) This appropriation is for the economic  
 120.32 development and housing challenge program



121.1 under Minnesota Statutes, section 462A.33.  
121.2 Priority shall be given to funding programs  
121.3 that are aimed at closing the disparity gap  
121.4 in affordable homeownership and rental  
121.5 housing for indigenous American Indians  
121.6 and communities of color. Of this amount,  
121.7 \$1,208,000 each year shall be made available  
121.8 during the first 11 months of the fiscal  
121.9 year exclusively for housing projects for  
121.10 American Indians. Any funds not committed  
121.11 to housing projects for American Indians in  
121.12 the first 11 months of the fiscal year shall  
121.13 be available for any eligible activity under  
121.14 Minnesota Statutes, section 462A.33.  
121.15 (b) Priority shall be given to programs that:  
121.16 (1) focus on creating safe and stable housing  
121.17 for homeless youth;  
121.18 (2) provide housing and services to trafficked  
121.19 women and children;  
121.20 (3) are land trust programs and programs  
121.21 that work in coordination with a land trust  
121.22 program; or  
121.23 (4) provide housing for communities and  
121.24 regions that have: (i) low vacancy rates, a  
121.25 plan that identifies current and future housing  
121.26 needs, experienced job growth since 2005,  
121.27 and at least 2,000 jobs within the commuter  
121.28 shed; or (ii) communities and regions that:  
121.29 have evidence of anticipated job expansion  
121.30 or a significant portion of area employees  
121.31 who commute more than 30 miles between  
121.32 their residence and employment, and where  
121.33 area employers are willing to provide a  
121.34 meaningful contribution that reduces the

122.1	<u>need for deferred loan or grant funds from</u>		
122.2	<u>state sources.</u>		
122.3	<u>(c) The base funding for this program in the</u>		
122.4	<u>2016-2017 biennium is \$10,805,000 each</u>		
122.5	<u>year.</u>		
122.6	<b><u>Subd. 3. Housing Trust Fund</u></b>	<u>12,105,000</u>	<u>10,605,000</u>
122.7	<u>(a) This appropriation is for deposit in the</u>		
122.8	<u>housing trust fund account created under</u>		
122.9	<u>Minnesota Statutes, section 462A.201, and</u>		
122.10	<u>may be used for the purposes provided in that</u>		
122.11	<u>section. Priority shall be given to funding</u>		
122.12	<u>programs that are aimed at closing the</u>		
122.13	<u>disparity gap in rental housing for indigenous</u>		
122.14	<u>American Indians and communities of</u>		
122.15	<u>color and culturally specific groups who</u>		
122.16	<u>are providing services to members of their</u>		
122.17	<u>communities.</u>		
122.18	<u>(b) \$1,500,000 in the first year is for</u>		
122.19	<u>temporary rental assistance for families</u>		
122.20	<u>with school-age children who have changed</u>		
122.21	<u>school or home at least once in the last</u>		
122.22	<u>school year. The agency, in consultation</u>		
122.23	<u>with the Department of Education, may</u>		
122.24	<u>establish additional targeting criteria. The</u>		
122.25	<u>base funding for this initiative is \$1,500,000</u>		
122.26	<u>in fiscal year 2016.</u>		
122.27	<u>(c) The base funding for the housing trust</u>		
122.28	<u>fund program is \$12,291,000 in fiscal year</u>		
122.29	<u>2016 and \$10,791,000 in fiscal year 2017.</u>		
122.30	<b><u>Subd. 4. Rental Assistance for the Mentally Ill</u></b>	<u>2,638,000</u>	<u>2,638,000</u>
122.31	<u>This appropriation is for the rental housing</u>		
122.32	<u>assistance program under Minnesota</u>		
122.33	<u>Statutes, section 462A.2097.</u>		
122.34	<b><u>Subd. 5. Family Homeless Prevention</u></b>	<u>8,043,000</u>	<u>8,043,000</u>

123.1 This appropriation is for the family homeless  
 123.2 prevention and assistance programs under  
 123.3 Minnesota Statutes, section 462A.204.

123.4 The base funding for this program in fiscal  
 123.5 years 2016 and 2017 is \$8,145,000 each year.

123.6 **Subd. 6. Home Ownership Assistance Fund** 845,000 845,000

123.7 This appropriation is for the home ownership  
 123.8 assistance program under Minnesota  
 123.9 Statutes, section 462A.21, subdivision 8.

123.10 Priority shall be given to funding programs  
 123.11 that are aimed at closing the disparity gap in  
 123.12 affordable homeownership for indigenous  
 123.13 American Indians and communities of color.

123.14 The base funding for this program in fiscal  
 123.15 years 2016 and 2017 is \$854,000 each year.

123.16 **Subd. 7. Affordable Rental Investment Fund** 4,200,000 4,200,000

123.17 (a) This appropriation is for the affordable  
 123.18 rental investment fund program under  
 123.19 Minnesota Statutes, section 462A.21,  
 123.20 subdivision 8b, to finance the acquisition,  
 123.21 rehabilitation, and debt restructuring of  
 123.22 federally assisted rental property and  
 123.23 for making equity take-out loans under  
 123.24 Minnesota Statutes, section 462A.05,  
 123.25 subdivision 39.

123.26 (b) The owner of federally assisted rental  
 123.27 property must agree to participate in  
 123.28 the applicable federally assisted housing  
 123.29 program and to extend any existing  
 123.30 low-income affordability restrictions on the  
 123.31 housing for the maximum term permitted.  
 123.32 The owner must also enter into an agreement  
 123.33 that gives local units of government,  
 123.34 housing and redevelopment authorities,

124.1 and nonprofit housing organizations the  
 124.2 right of first refusal if the rental property  
 124.3 is offered for sale. Priority must be given  
 124.4 among comparable federally assisted rental  
 124.5 properties to properties with the longest  
 124.6 remaining term under an agreement for  
 124.7 federal assistance. Priority must also be  
 124.8 given among comparable rental housing  
 124.9 developments to developments that are or  
 124.10 will be owned by local government units, a  
 124.11 housing and redevelopment authority, or a  
 124.12 nonprofit housing organization.

124.13 (c) The appropriation also may be used to  
 124.14 finance the acquisition, rehabilitation, and  
 124.15 debt restructuring of existing supportive  
 124.16 housing properties. For purposes of this  
 124.17 subdivision, "supportive housing" means  
 124.18 affordable rental housing with links to  
 124.19 services necessary for individuals, youth, and  
 124.20 families with children to maintain housing  
 124.21 stability.

124.22	<u>Subd. 8. <b>Housing Rehabilitation</b></u>	<u>6,094,000</u>	<u>6,094,000</u>
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124.23 This appropriation is for the housing  
 124.24 rehabilitation program under Minnesota  
 124.25 Statutes, section 462A.05, subdivision 14.  
 124.26 Of this amount, \$3,344,000 each year is for  
 124.27 the rehabilitation of rental properties, and  
 124.28 \$2,750,000 each year is for the rehabilitation  
 124.29 of owner-occupied homes.

124.30 The base funding for this program in fiscal  
 124.31 years 2016 and 2017 is \$6,188,000 each  
 124.32 year. Of this amount, \$3,438,000 each year  
 124.33 is for the rehabilitation of rental housing and  
 124.34 \$2,750,000 each year is for the rehabilitation  
 124.35 of owner-occupied housing.

125.1	<u>Subd. 9. <b>Homeownership Education,</b></u>		
125.2	<u><b>Counseling, and Training</b></u>	<u>809,000</u>	<u>809,000</u>
125.3	<u>This appropriation is for the homeownership</u>		
125.4	<u>education, counseling, and training program</u>		
125.5	<u>under Minnesota Statutes, section 462A.209.</u>		
125.6	<u>Priority may be given to funding programs</u>		
125.7	<u>that are aimed at culturally specific groups</u>		
125.8	<u>who are providing services to members of</u>		
125.9	<u>their communities.</u>		
125.10	<u>The base funding for this program in fiscal</u>		
125.11	<u>years 2016 and 2017 is \$819,000 each year.</u>		
125.12	<u>Subd. 10. <b>Capacity Building Grants</b></u>	<u>242,000</u>	<u>242,000</u>
125.13	<u>This appropriation is for nonprofit capacity</u>		
125.14	<u>building grants under Minnesota Statutes,</u>		
125.15	<u>section 462A.21, subdivision 3b.</u>		
125.16	<u>The base funding for this program in fiscal</u>		
125.17	<u>years 2016 and 2017 is \$263,000 each year.</u>		
125.18	<u>Subd. 11. <b>Grants</b></u>	<u>445,000</u>	<u>445,000</u>
125.19	<u>(a) This appropriation is for the grants in</u>		
125.20	<u>paragraphs (b) to (d) and is available until</u>		
125.21	<u>expended. This appropriation is added to the</u>		
125.22	<u>agency's base.</u>		
125.23	<u>(b) \$70,000 each year is for a grant to Open</u>		
125.24	<u>Access Connection to provide free voice mail</u>		
125.25	<u>services for homeless and low-income people</u>		
125.26	<u>so that they have a reliable and consistent</u>		
125.27	<u>communication tool to aid in their search</u>		
125.28	<u>for affordable housing and their search for</u>		
125.29	<u>and maintenance of jobs so that they have</u>		
125.30	<u>income to maintain affordable housing. This</u>		
125.31	<u>service is provided in the metropolitan area</u>		
125.32	<u>and through a toll-free number in greater</u>		
125.33	<u>Minnesota.</u>		

126.1 (c) \$200,000 each year is for a grant to  
 126.2 HOME Line for the tenant's rights advocacy  
 126.3 and services program.

126.4 (d) \$175,000 each year is for a grant to an East  
 126.5 African women's organization to promote the  
 126.6 health and safety of East African women and  
 126.7 children in Minnesota and provide services to  
 126.8 East African women, who are first-generation  
 126.9 immigrants from East African countries, and  
 126.10 their children. The program must provide  
 126.11 safe housing for victims of domestic abuse  
 126.12 and trafficking as well as assistance accessing  
 126.13 the health care system. The program must  
 126.14 provide educational resources to prevent  
 126.15 the exploitation of East African women  
 126.16 and children in Minnesota. The program  
 126.17 shall provide shelter services and health  
 126.18 and human rights education to promote  
 126.19 empowerment and provide culturally  
 126.20 appropriate services to East African women  
 126.21 and children in Minnesota and other victims  
 126.22 of domestic violence.

126.23 <u>Subd. 12. <b>Transfers</b></u>	<u>4,400,000</u>	<u>3,900,000</u>
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126.24 (a) The appropriations in this subdivision are  
 126.25 not for transfer to the housing development  
 126.26 fund. These appropriations are for transfer  
 126.27 to the commissioner of human services for  
 126.28 the purposes specified. The appropriations  
 126.29 are added to the Minnesota Housing Finance  
 126.30 Agency's fiscal year 2016 and fiscal year  
 126.31 2017 base budget.

126.32 (b) \$900,000 each year is for the long-term  
 126.33 homeless supportive services fund under  
 126.34 Minnesota Statutes, section 256K.26.

- 127.1 (c) \$250,000 each year is for the transitional  
127.2 housing programs under Minnesota Statutes,  
127.3 section 256E.33.
- 127.4 (d) \$250,000 each year is for emergency  
127.5 services grants under Minnesota Statutes,  
127.6 section 256E.36.
- 127.7 (e) \$1,500,000 each year is to provide  
127.8 housing and services to homeless youth  
127.9 under Minnesota Statutes, section 256K.45.
- 127.10 (f) \$1,000,000 each year is to develop and  
127.11 provide housing and shelters to prevent the  
127.12 sexual exploitation of women and children  
127.13 and assist trafficked women and children.
- 127.14 (g) \$500,000 in the first year is a onetime  
127.15 appropriation for a grant for housing  
127.16 subsidies to the nonprofit organizations  
127.17 selected to administer the demonstration  
127.18 project for high-risk adults under Laws 2007,  
127.19 chapter 54, article 1, section 19, to help  
127.20 complete the project.

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Article locations in H0729-3

ARTICLE 1	APPROPRIATIONS .....	Page.Ln 2.5
ARTICLE 2	LABOR AND INDUSTRY .....	Page.Ln 16.27
	EMPLOYMENT, ECONOMIC DEVELOPMENT, AND	
ARTICLE 3	WORKFORCE DEVELOPMENT .....	Page.Ln 53.16
ARTICLE 4	UNEMPLOYMENT INSURANCE .....	Page.Ln 73.4
ARTICLE 5	MISCELLANEOUS .....	Page.Ln 83.22
	COMMERCE AND CONSUMER PROTECTION	
ARTICLE 6	APPROPRIATIONS .....	Page.Ln 103.10
ARTICLE 7	COMMERCE AND CONSUMER PROTECTION POLICY .....	Page.Ln 108.19
ARTICLE 8	HOUSING FINANCE .....	Page.Ln 120.5



**116W.01 MINNESOTA SCIENCE AND TECHNOLOGY AUTHORITY ACT.**

This chapter may be cited as the "Minnesota Science and Technology Authority Act."

**116W.02 DEFINITIONS.**

Subdivision 1. **Applicability.** For the purposes of this chapter, the terms in this section have the meanings given them.

Subd. 2. **Authority.** "Authority" means the Minnesota Science and Technology Authority.

Subd. 3. **Eligible recipient.** "Eligible recipient" means an entity primarily operating to create and retain jobs in the state's industrial base and maximize the economic growth of the state through:

- (1) high-technology research and development capabilities;
- (2) product and process innovation and commercialization;
- (3) high-technology manufacturing capabilities;
- (4) science and technology business environment; or
- (5) science and technology workforce preparation.

Subd. 4. **Advisory commission.** "Advisory commission" means the advisory commission under section 116W.051.

**116W.03 MINNESOTA SCIENCE AND TECHNOLOGY AUTHORITY.**

Subdivision 1. **Membership.** The Minnesota Science and Technology Authority consists of the commissioner of employment and economic development, the commissioner of management and budget, the commissioner of revenue, the commissioner of commerce, and the commissioner of agriculture.

Subd. 2. **Chair; other officers.** The commissioner of employment and economic development shall serve as the chair and chief executive officer of the authority. The authority shall rotate the position of vice-chair annually among its members. The commissioner of employment and economic development shall convene the first meeting of the authority no later than July 1, 2010. In the absence of the chair or vice-chair at meetings of the authority members may elect a chair for the meeting, and may elect other officers as necessary from its members.

Subd. 3. **Delegation.** In addition to any powers to delegate that members of the authority have as commissioners, they may delegate to the chair, vice-chair, or executive director their responsibilities as members of the authority for reviewing and approving financing of eligible projects, projects that have been authorized by law, or programs specifically authorized by resolution of the authority.

Subd. 4. **Actions.** (a) A majority of the authority, excluding vacancies, constitutes a quorum to conduct its business, to exercise its powers, and for all other purposes.

(b) The authority may conduct its business by any technological means available, including teleconference calls or interactive video, that allows for an interaction between members. If a meeting is conducted under this paragraph, a specific location must be available for the public to attend the meeting and at least one member must be present at that location.

Subd. 5. **Executive director; staffing.** The authority shall employ an executive director in the unclassified service. The initial executive director must be the individual in the position of director of the Office of Science and Technology as of January 1, 2010, under Minnesota Statutes 2008, section 116J.657. The executive director is responsible for hiring staff necessary to assist the executive director to carry out the duties and responsibilities of the authority. The executive director shall perform duties that the authority may require in carrying out its responsibilities to manage and implement the funds and programs in this chapter, and comply with all state and federal program requirements, and state and federal securities and tax laws and regulations. The executive director shall assist the advisory board in fulfilling its duties under this chapter.

Subd. 6. **Administrative services.** The authority shall enter into agreements for administrative and professional services and technical support.

Subd. 7. **Expiration.** This section expires June 30, 2018. Section 15.059, subdivision 5, does not apply to the authority.

**116W.035 INFORMATION TECHNOLOGY.**

To the extent the projects or grants approved by the authority or other work of the authority impact state information systems, these information systems are subject to the jurisdiction of the Office of Enterprise Technology in chapter 16E, including, but not limited to:

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### Repealed Minnesota Statutes: H0729-3

- (1) evaluation and approval as specified in section 16E.03, subdivisions 3 and 4;
- (2) review to ensure compliance with security policies, guidelines, and standards as specified in section 16E.03, subdivision 7; and
- (3) assurance of compliance with accessibility standards developed under section 16E.03, subdivision 9.

#### **116W.04 POWERS AND DUTIES.**

Subdivision 1. **Duties.** The Science and Technology Authority shall:

- (1) coordinate public and private efforts to procure federal funding for collaborative research and development projects of primary benefit to small-sized and medium-sized businesses;
- (2) promote contractual relationships between Minnesota businesses that are recipients of federal grants and prime contractors, and Minnesota-based subcontractors;
- (3) work with Minnesota nonprofit institutions including the University of Minnesota, Minnesota State Colleges and Universities, and the Mayo Clinic in promoting collaborative efforts to respond to federal funding opportunities;
- (4) develop a framework for Minnesota companies to establish sole-source relationships with federal agencies;
- (5) provide grants or other forms of financial assistance to eligible recipients for purposes of this chapter;
- (6) coordinate workshops, assistance with business proposals, licensing, intellectual property protection, commercialization, and government auditing with the University of Minnesota and Minnesota State Colleges and Universities; and
- (7) develop and implement a comprehensive science and technology economic development strategy for the state.

Subd. 2. **Technology matchmaking.** The authority must assist businesses in identifying qualified suppliers and vendors through a program to serve as a conduit for Minnesota-based companies to network with firms able to support their success. Firms outside Minnesota can participate in the technology matchmaking network if one of the participating companies is located in Minnesota.

Subd. 3. **Commercialization assistance.** The authority must provide commercialization assistance to Minnesota firms that have received a Phase I Small Business Innovation Research (SBIR) or a Phase I Small Business Technology Transfer (STTR) award and are submitting a Phase II proposal. Local service providers must assist the applicant with developing and reviewing the required commercialization plan prior to Phase II submission. The authority may provide SBIR Phase I proposal technical review.

Subd. 4. **Power to sue; enter contracts.** The authority may sue and be sued. The authority may make and enter into contracts, leases, and agreements necessary to perform its duties and exercise its powers.

Subd. 5. **Gifts; grants.** The authority may apply for, accept, and disburse gifts, grants, loans, or other property from the United States, the state, private sources, or any other source for any of its purposes. Money received by the authority under this subdivision must be deposited in the state treasury and is appropriated to the authority to carry out its duties.

Subd. 6. **Contract for services.** The authority may retain or contract for the services of accountants, financial advisors, and other consultants or agents needed to perform its duties and exercise its powers.

Subd. 7. **Fees.** The authority may set and collect fees for costs incurred by the authority, the Department of Employment and Economic Development, the Department of Management and Budget, the Department of Revenue, the Department of Commerce, the Department of Labor and Industry, and the Department of Agriculture, including costs for personnel, professional, and administrative services.

Subd. 8. **Reports.** (a) The authority shall report by February 1 each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over finance and economic development on its progress to design, coordinate, and administer a strategic science and technology program for the state to promote the welfare of the people of the state, maximize the economic growth of the state, and create and retain jobs in the state's industrial base through enhancement of Minnesota's:

- (1) high-technology research and development capabilities;
- (2) product and process innovation and commercialization;
- (3) high-technology manufacturing capabilities;
- (4) science and technology business environment; and
- (5) science and technology workforce preparation.

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(b) The report must include a complete operating and financial statement covering the authority's operations during the year, including amounts of income from all sources. Books and records of the authority are subject to audit by the legislative auditor in the manner prescribed for state agencies.

Subd. 9. **Consultative and technical services.** The authority may provide general consultative and technical services to assist eligible projects and enter into agreements or other transactions concerning the receipt or provision of those services.

Subd. 10. **Financial information.** Financial information, including credit reports, financial statements, and net worth calculations, received or prepared by the authority regarding financial assistance, is private data with regard to data on individuals as defined in section 13.02, subdivision 12, and nonpublic data with regard to data not on individuals as defined in section 13.02, subdivision 9.

Subd. 11. **General.** The authority shall have all powers necessary and appropriate to fulfill its responsibilities under this chapter.

### **116W.05 PROJECT FINANCIAL ASSISTANCE.**

Subdivision 1. **Determination of financial assistance.** The authority shall assist eligible recipients in identifying grants or other sources of financial assistance available to finance projects and may assist eligible recipients in applying for and obtaining grants and other forms of assistance.

Subd. 2. **Financial feasibility review.** (a) The authority shall review the proposed financing for each project submitted to the authority to determine whether: (1) the proposed project and financing plan is an eligible use of the money; and (2) the proposal is in compliance with applicable state and federal tax and securities laws and regulations. Grants in excess of \$50,000 must be approved by the authority. Grants of \$50,000 or less may be authorized by the executive director. All grant approvals or disapprovals must be completed within 30 days of submission to the authority. Grants approved by the executive director must be reviewed by the authority each month.

(b) Unless a project is specifically authorized by law, the authority may reject the proposed financing for a project meeting the requirements in paragraph (a) if there are not sufficient funds available or if a majority of members believe the financing of the project would not be in the best interests of the state or would be detrimental to the authority's funds or programs. A determination to reject a proposed project must not be made in an arbitrary and capricious manner and must be supported by substantive evidence and documented by a resolution of the authority stating its findings.

### **116W.06 ADVISORY COMMISSION.**

Subdivision 1. **Advisory commission membership.** A Science and Technology Initiative Advisory Commission of 18 members is established and is comprised of:

- (1) two representatives of the University of Minnesota, selected by the president of the university, including a faculty member actively involved in science and technology research;
- (2) two representatives of the Minnesota State Colleges and Universities, selected by the chancellor, including a faculty member actively involved in science and technology research;
- (3) the chief executive officer of Mayo Clinic or a designee;
- (4) six chief executive officers or designees from science-oriented or technology-oriented companies;
- (5) four representatives from science-oriented and technology-oriented organizations;
- (6) one representative of organized labor;
- (7) a venture capital representative; and
- (8) a representative of angel investors.

A member must have experience in science or technology in order to serve on the commission.

Members of the commission listed in clauses (4) to (8) shall be appointed by the authority.

Subd. 2. **Advisory commission duties.** The advisory commission must assist the authority in developing a comprehensive science and technology economic development plan to be presented to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over economic development and higher education by January 15, 2011. The plan must include recommendations in strategic areas for science and technology investments, recommendations on additional programs to support science and technology focused economic development activities in the state, selection of specific programs and grantees for support

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from program funds authorized by the advisory commission and ongoing assessment of the effectiveness of programmatic elements according to metrics to be developed by the authority in consultation with the advisory commission. The advisory commission may also advise and assist the authority in fulfilling its duties under section 116W.04.

Subd. 3. **Membership terms; vacancies; compensation.** The membership terms, removal of members, and filling of vacancies are as provided under section 15.059. The executive director may provide compensation to members if funds are available.

Subd. 4. **Expiration.** The advisory commission expires June 30, 2013.

Subd. 5. **Convening of meetings; staffing.** The executive director of the authority must convene the first meeting of the commission by August 1, 2010. The executive director must provide administrative support and staff to the commission.

#### **116W.20 MONEY OF THE AUTHORITY.**

Subdivision 1. **Functions of commissioner of management and budget.** Except as otherwise provided in this section, money of the authority must be paid to the commissioner of management and budget as agent of the authority and the commissioner shall not commingle the money with other money. The money in the accounts of the authority must be paid out only on warrants drawn by the commissioner of management and budget on requisition of the executive director of the authority or of another officer or employee as the authority authorizes. Deposits of the authority's money must, if required by the commissioner or the authority, be secured by obligations of the United States or of the state of a market value equal at all times to the amount of the deposit and all banks and trust companies are authorized to give security for the deposits. All money paid to the commissioner as agent of the authority is appropriated to the authority. The commissioner must annually report to the committees of the legislature with responsibility for economic development and management and budget on the use of appropriations under this section.

Subd. 2. **System of accounts.** The commissioner of management and budget shall prescribe a system of accounts.

#### **116W.21 NONLIABILITY.**

Subdivision 1. **Nonliability of individuals.** No member of the authority, staff of the authority, or other person executing other agreements or contracts of the authority is liable personally or is subject to any personal liability or accountability by reason of their issuance, execution, delivery, or performance.

Subd. 2. **Nonliability of state.** The state is not liable on loans or other agreements or contracts of the authority issued or entered into under this chapter and the loans or other agreements or contracts of the authority are not a debt of the state. The loans or other agreements or contracts of the authority must contain on their face a statement to that effect.

#### **116W.23 STATE PLEDGE AGAINST IMPAIRMENT OF CONTRACTS.**

The state pledges and agrees with parties to any loans or other agreements or contracts of the authority that the state will not: (1) limit or alter the rights vested in the authority to fulfill the terms of any agreements made with the parties to any loans or other agreements or contracts of the authority; or (2) in any way impair the rights and remedies of the parties to any loans or other agreements or contracts of the authority. The authority may include this pledge and agreement of the state in any agreement with the parties in any loans or other agreements or contracts of the authority.

#### **116W.24 RESERVES; FUNDS; ACCOUNTS.**

The authority may establish reserves, funds, or accounts necessary to carry out the purposes of the authority or to comply with any agreement made by or any resolution passed by the authority.

#### **116W.25 CITATION.**

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Sections 116W.26 to 116W.34 may be cited as the "Minnesota science and technology program."

### **116W.26 DEFINITIONS.**

Subdivision 1. **Applicability.** For the purposes of sections 116W.26 to 116W.34, the terms in this section have the meanings given them.

Subd. 2. **Authority.** "Authority" means the Minnesota Science and Technology Authority established under this chapter.

Subd. 3. **College or university.** "College or university" means an institution of postsecondary education, public or private, that grants undergraduate or postgraduate academic degrees, and conducts significant research or development activities in the areas of science and technology.

Subd. 4. **Commercialization.** "Commercialization" means any of the full spectrum of activities required for a new technology, product, or process to be developed from its basic research of conceptual stage through applied research or development to the marketplace including, without limitation, the steps leading up to and including licensure, sales, and services.

Subd. 5. **Commercialized research project.** "Commercialized research project" means research conducted within a college or university or nonprofit research institution or by a qualified science and technology company that has shown advanced commercial potential through license agreements, patents, or other forms of invention disclosure, and by which a qualified science and technology company has been or is being currently formed.

Subd. 6. **Fund.** "Fund" means the Minnesota science and technology fund.

Subd. 7. **Nonprofit research institution.** "Nonprofit research institution" means an entity with its principle place of business in Minnesota, that qualifies under section 501(c) of the Internal Revenue Code, and that conducts significant research or development activities in this state in the areas of science and technology.

Subd. 8. **Program.** "Program" means the Minnesota science and technology program.

Subd. 9. **Qualified science and technology company.** "Qualified science and technology company" means a corporation, limited liability company, S corporation, partnership, limited liability partnership, or sole proprietorship with fewer than 100 employees that is engaged in research, development, or production of science or technology in this state including, without limitation, research, development, or production directed toward developing or providing science and technology products, processes, or services for specific commercial or public purposes.

### **116W.27 MINNESOTA SCIENCE AND TECHNOLOGY FUND.**

A Minnesota science and technology fund is created in the state treasury. The fund is a direct-appropriated special revenue fund. Money of the authority must be paid to the commissioner of management and budget as agent of the authority and the commissioner shall not commingle the money with other money. The money in the fund must be paid out only on warrants drawn by the commissioner of management and budget on requisition of the executive director of the authority or designee.

### **116W.28 MINNESOTA SCIENCE AND TECHNOLOGY FUND; AUTHORIZED USES.**

The Minnesota science and technology fund may be used for the following to:

- (1) establish the commercialized research program authorized under section 116W.29;
  - (2) establish the federal research and development support program under section 116W.30;
  - (3) establish the industry technology and competitiveness program under section 116W.31;
- and
- (4) carry out the powers of the authority authorized under sections 116W.04 and 116W.32 that are in support of the programs in clauses (1) to (3).

### **116W.29 COMMERCIALIZED RESEARCH PROGRAM.**

(a) The authority may establish a commercialized research program. The purpose of the program is to accelerate the commercialization of science and technology products, processes, or services from colleges or universities, nonprofit research institutions, or qualified science and technology companies that lead to an increase in science and technology businesses and jobs. The program shall:

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(1) provide science and technology gap funding of up to \$250,000 per science and technology research project to assist in the commercialization and transfer of science and technology research projects from a college or university or nonprofit research institution to a qualified science and technology company; and

(2) provide funding of up to \$250,000 for early stage development for qualified science and technology companies to conduct commercialized research projects.

(b) All activities under the commercialized research program must require:

(1) written criteria set by the authority for the application, award, and use of the funds;

(2) matching funds by the participating qualified science and technology company, college or university, or nonprofit research institution;

(3) no more than 15 percent of the funds awarded by the authority may be used for overhead costs; and

(4) a report by the participating qualified science and technology company, college or university, or nonprofit research institution that provides documentation of the use of funds and outcomes of the award. The report must be submitted to the authority within one calendar year of the date of the award.

#### **116W.30 FEDERAL RESEARCH AND DEVELOPMENT SUPPORT PROGRAM.**

The authority may establish a federal research and development support program. The purpose of the program is to increase and coordinate efforts to procure federal funding for research projects of primary benefit to qualified science and technology companies, colleges or universities, and nonprofit research institutions. The program shall:

(1) develop and execute a strategy to identify specific federal agencies and programs that support the growth of science and technology industries in this state; and

(2) provide grants to qualified science and technology companies:

(i) to assist in the development of federal Small Business Innovation (SBIR) or Small Business Technology Transfer (STTR) proposals; and

(ii) to match funds received through SBIR or STTR awards. No more than \$1,500,000 may be awarded in a year for matching grants under this clause.

#### **116W.31 INDUSTRY INNOVATION AND COMPETITIVENESS PROGRAM.**

(a) The authority may establish an industry technology and competitiveness program. The purpose of the program is to advance the technological capacity and competitiveness of existing and emerging science and technology industries. The program shall:

(1) provide matching funds to programs and organizations that assist entrepreneurs in starting and growing qualified science and technology companies including, but not limited to, matching funds for mentoring programs, consulting and technical services, and related activities;

(2) fund initiatives that retain engineering, science, technology, and mathematical occupations in the state including, but not limited to, internships, mentoring, and support of industry and professional organizations; and

(3) fund initiatives that support the growth of targeted industry clusters and the competitiveness of existing qualified science and technology companies in developing and marketing new products and services.

(b) All activities under the industry innovation and competitiveness program shall require:

(1) written criteria set by the authority for the application, award, and use of the funds;

(2) matching funds by the participating qualified science and technology company, college or university, or nonprofit research institution; and

(3) a report by the participating qualified science and technology company, college or university, or nonprofit research institution providing documentation on the use of the funds and outcomes of the award. The report must be submitted to the authority within one calendar year from the date of the award.

#### **116W.32 MINNESOTA SCIENCE AND TECHNOLOGY AUTHORITY; POWERS UNDER FUND.**

Subdivision 1. **General powers.** The authority shall have all of the powers necessary to carry out the purposes and provisions of sections 116W.26 to 116W.34, including, but not limited to, those provided under section 116W.04 and the following:

(1) The authority may make awards in the forms of grants or loans, and charge and receive a reasonable interest for the loans, or take an equity position in form of stock, a convertible note, or other securities in consideration of an award. Interests, revenues, or other proceeds received

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as a result of a transaction authorized by use of this fund shall be deposited to the corpus of the fund and used in the same manner as the corpus of the fund.

(2) In awarding money from the fund, priority shall be given to proposals from qualified science and technology companies that have demonstrable economic benefit to the state in terms of the formation of a new private sector business entity, the creation of jobs, or the attraction of federal and private funding.

(3) In awarding money from the fund, priority shall be given to proposals from colleges or universities and nonprofit research institutions that:

(i) promote collaboration between any combination of colleges or universities, nonprofit research institutions, and private industry;

(ii) enhance existing research superiority by attracting new research entities, research talent, or resources to the state; and

(iii) create new research superiority that attracts significant researchers and resources from outside the state.

(4) Subject to the limits in this clause, money within the fund may be used for reasonable administrative expenses by the authority including staffing and direct operational expenses, and professional fees for accounting, legal, and other technical services required to carry out the intent of the program and administration of the fund. Administrative expenses may not exceed five percent of the first \$5,000,000 in the fund and two percent of any amount in excess of \$5,000,000.

(5) Before making an award, the authority shall enter into a written agreement with the entity receiving the award that specifies the uses of the award.

(6) If the award recipient has not used the award received for the purposes intended, as of the date provided in the agreement, the recipient shall repay that amount and any interest applicable under the agreement to the authority. All repayments must be deposited to the corpus of the fund.

Subd. 2. **Rules.** The authority may adopt rules to implement the programs authorized under sections 116W.29 to 116W.31.

#### **116W.33 REPAYMENT.**

An entity must repay all or a portion of the amount of any award, grant, loan, or financial assistance of any type paid by the authority under sections 116W.29 to 116W.32 if the entity relocates outside the state or ceases operation in Minnesota within four years from the date the authority provided the financial award. If the entity relocates outside of this state or ceases operation in Minnesota within three years of the financial award, the entity must repay 100 percent of the award. If the entity relocates or ceases operation in Minnesota after a period of three years but before four years from the date of the financial award, the entity must repay 75 percent of the financial award.

#### **116W.34 EXPIRATION.**

Sections 116W.26 to 116W.33 expire on the expiration date of the authority under section 116W.03, subdivision 7. Any unused money in the fund shall be deposited in the general fund.

#### **155A.25 COSMETOLOGY FEES; LICENSE EXPIRATION DATE.**

Subdivision 1. **Schedule.** The fee schedule for licensees is as follows for licenses issued prior to July 1, 2010, and after June 30, 2013:

(a) Three-year license fees:

(1) cosmetologist, manicurist, esthetician, \$90 for each initial license, and \$60 for each renewal;

(2) instructor, manager, \$120 for each initial license, and \$90 for each renewal;

(3) salon, \$130 for each initial license, and \$100 for each renewal; and

(4) school, \$1,500.

(b) Penalties:

(1) reinspection fee, variable;

(2) manager and owner with lapsed practitioner, \$150 each;

(3) expired cosmetologist, manicurist, esthetician, manager, school manager, and instructor license, \$45; and

(4) expired salon or school license, \$50.

(c) Administrative fees:

(1) certificate of identification, \$20;

(2) school original application, \$150;

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- (3) name change, \$20;
- (4) letter of license verification, \$30;
- (5) duplicate license, \$20;
- (6) processing fee, \$10;
- (7) special event permit, \$75 per year; and
- (8) registration of hair braiders, \$20 per year.

**326A.03 CERTIFIED PUBLIC ACCOUNTANT QUALIFICATIONS.**

Subd. 2. **Examination before July 1, 2006; required education and experience.** Until July 1, 2006, the examination must be administered by the board only to a candidate who:

(1) holds a master's degree with a major in accounting from a college or university that is fully accredited by a recognized accrediting agency listed with the United States Department of Education;

(2) holds a baccalaureate degree, with a major in accounting, from a college or university that is fully accredited by a recognized accrediting agency listed with the United States Department of Education or who has in the opinion of the board at least an equivalent education;

(3) holds a baccalaureate degree from a college or university that is fully accredited by a recognized accrediting agency listed with the United States Department of Education, or who has in the opinion of the board at least an equivalent education, provided that at least one year of experience of the type specified in subdivision 8 has been completed;

(4) provides evidence of having completed two or more years of study with a passing grade average or above from a college, university, technical college, or a Minnesota licensed private school that is fully accredited by a recognized accrediting agency listed with the United States Department of Education, or who has in the opinion of the board at least an equivalent education, provided that at least three years experience of the type specified in subdivision 8 has been completed; or

(5) holds a diploma as a graduate of an accredited high school, or who has in the opinion of the board at least an equivalent education, provided that at least five years experience of the type specified in subdivision 8 has been completed.

Subd. 5. **Certificate before July 1, 2006; required experience.** Until July 1, 2006, a person who has passed the examination required by this section and who meets all other requirements for a certificate, including payment of required fees, must be granted a certificate as a certified public accountant, providing that the person has completed the following experience requirements of the type specified in subdivision 8 in addition to any experience already required in subdivision 2:

(1) for those whose educational qualifications meet the requirements of subdivision 2, clause (1), the experience requirement is one year;

(2) for those whose educational qualifications meet the requirements of subdivision 2, clause (2), the experience requirement is two years;

(3) for those whose educational and experience qualifications meet the requirements of subdivision 2, clause (3), the additional required experience is two years;

(4) for those whose educational and experience qualifications meet the requirements of subdivision 2, clause (4), the additional required experience is two years; and

(5) for those whose educational and experience qualifications meet the requirements of subdivision 2, clause (5), the additional required experience is one year.

Subd. 8. **Qualifying experience until July 1, 2006.** Until July 1, 2006, qualifying experience includes public accounting experience:

(1) as a staff employee of a certified public accountant, or a firm;

(2) as an auditor in the Office of the Legislative Auditor or State Auditor, or as an auditor or examiner with any other agency of government, if the experience, in the opinion of the board, is equally comprehensive and diversified;

(3) as a self-employed public accountant or as a partner in a firm; or

(4) in any combination of the foregoing capacities.

**326B.31 DEFINITIONS.**

Subd. 18. **Elevator constructor.** "Elevator constructor" means an individual having the necessary qualifications, training, experience, and technical knowledge to wire for, install, maintain, and repair electrical wiring, apparatus, and equipment for elevators and escalators and who is licensed as an elevator constructor by the commissioner.

Subd. 19. **Elevator contractor.** "Elevator contractor" means a licensed contractor whose responsible licensed individual is a licensed master elevator constructor. An elevator contractor



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license does not itself qualify its holder to perform or supervise the electrical or elevator work authorized by holding a personal license issued by the commissioner.

Subd. 22. **Master elevator constructor.** "Master elevator constructor" means an individual having the necessary qualifications, training, experience, and technical knowledge to properly plan, lay out, and supervise the installation, maintenance, and repair of wiring, apparatus, and equipment for elevators and escalators and who is licensed as a master elevator constructor by the commissioner.

**326B.978 EXAMINATIONS; CLASSIFICATIONS; QUALIFICATIONS.**

Subd. 4. **Continuing education.** The commissioner may require continuing education prior to the renewal of any license. Before requiring continuing education, the commissioner shall adopt rules that specify the continuing education requirements.

**507.235 FILING CONTRACTS FOR DEED.**

Subd. 4. **Criminal penalty.** A person who is required to record a contract for deed or an assignment of a contract for deed under subdivision 1 and who fails to record the contract for deed or assignment within 14 days of receipt of the notice required under subdivision 5 is guilty of a misdemeanor. A city in which the land is located or, if the land is not located within a city, the county in which the land is located, may prosecute criminal violations of this section. This criminal liability is in addition to civil liability imposed under this section.

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**1105.0600 FEES.**

The following fees apply:

- A. initial issuance of certificate, \$50;
- B. renewal of certificate with an active status, \$45 per year;
- C. initial CPA firm permits, except for sole practitioners, \$100;
- D. renewal of CPA firm permits, except for sole practitioners and those firms specified in item Q, \$35 per year;
- E. initial issuance and renewal of CPA firm permits for sole practitioners, except for those firms specified in item Q, \$35 per year;
- F. annual late processing delinquency fee for permit, certificate, or registration renewal applications not received prior to expiration date, \$50;
- G. copies of records, per page, 25 cents;
- H. registration of noncertificate holders, nonlicensees, and nonregistrants in connection with renewal of firm permits, \$45 per year;
- I. applications for reinstatement, \$20;
- J. initial registration of a registered accounting practitioner, \$50;
- K. initial registered accounting practitioner firm permits, \$100;
- L. renewal of registered accounting practitioner firm permits, except for sole practitioners, \$35 per year;
- M. renewal of registered accounting practitioner firm permits for sole practitioners, \$35 per year;
- N. CPA examination application, \$40;
- O. CPA examination, fee determined by third-party examination administrator;
- P. renewal of certificates with an inactive status, \$10 per year; and
- Q. renewal of CPA firm permits for firms that have one or more offices located in another state, \$68 per year.

**1105.2550 RENEWAL OF CERTIFICATES AFTER 2009.**

A. Beginning with certificate renewal applications for calendar year 2010, the board shall renew each certificate as follows:

- (1) for licensees whose last name begins with the letters:
  - (a) A through H, certificates shall be renewed for a three-year period (Cycle A);
  - (b) I through P, certificates shall be renewed for a two-year period (Cycle B); and
  - (c) Q through Z, certificates shall be renewed for a one-year period (Cycle C); and
- (2) renewals of those certificates, after the expiration of the renewals periods specified in subitem (1), shall thereafter follow a three-year cycle.

B. Initial issuances of certificates after January 1, 2010, shall expire on the December 31 following issuance and shall thereafter be renewed so as to place the certificate in the correct renewal cycle established for the licensee's last name in item A.

C. Licensees who have obtained a legal name change shall, upon renewal, have their certificates renewed so as to place the certificate in the correct renewal cycle established for the licensee's last name in item A.

D. Licensees requesting a change in certificate status during the renewal period shall not be entitled to any refund of fees according to part 1105.1000 and can only request a change in status according to this chapter and on a form provided by the board. However, additional fees covering any remaining portion of the renewal period established as a result of items A and B shall be paid if the change in status is to "active." The additional fee is based on a complete calendar year and is not prorated.

E. Licensees electing to change the status of the licensee's active certificate to a status other than active can only do so effective on the January 1 following the licensee's written request for the change and on a form provided by the board. The request shall be accompanied with documentation showing that the licensee completed at least 120 hours of continuing professional education required by this chapter during the three-year period ended June 30 preceding the effective date of the status change, with a minimum of 20 hours each year.

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F. Notwithstanding the three-year renewal period established by this part and except as provided for in part 1105.3000, item J, at each June 30, licensees holding a certificate with an "active" status shall comply with the one- and three-year continuing professional education requirements in part 1105.3000.

**1105.2700 EXPERIENCE REQUIRED FOR CPA EXAMINATION AND INITIAL CERTIFICATE UNTIL JULY 1, 2006.**

Subpart 1. **Intent.** It is the intent of this requirement that applicants have had practical public accounting experience of reasonable variety and importance, requiring independent thought and judgment on important accounting, auditing, and income tax matters, consistent with the competence generally expected of a certified public accountant.

Subp. 2. **Measurement.** Experience recognized by the board is measured on the basis of calendar months and days worked by the applicant as an employee on the staff of a certified public accountant in public practice or in qualifying governmental experience or self-employment. Part-time work in public accounting is equivalent in proportion to full-time work, with a maximum of eight hours per day or 40 hours per week. The experience must be verified by the employer. Self-employment experience must be verified by five clients.

Subp. 3. **Audit experience.** Persons claiming audit experience for work with governmental entities shall, for individuals other than auditors in the Office of the Legislative Auditor or State Auditor claiming experience under Minnesota Statutes, section 326A.03, subdivision 8, clause (2):

A. have their audit work directly relied upon by third parties outside of their agency or department and, in the case of federal government employees, have experience at the Federal GS 11 range or higher; or

B. have experience similar to that of the auditors in the Office of the Legislative Auditor and the Office of the State Auditor.

The burden rests with the applicant to demonstrate to the board that other governmental experience should be recognized as qualifying. A written statement must be filed with the board, giving a complete description of the purposes, work standards, and procedures of any position believed to be qualifying. This statement shall be approved by a responsible administrative officer of the applicable governmental unit as determined by the board.

Subp. 4. **Qualifying self-employment.** The board shall consider self-employment experience obtained by an applicant to meet the requirements of Minnesota Statutes, section 326A.03, subdivision 8, if an applicant shows to the satisfaction of the board that the applicant's qualifying self-employment is consistent with the intent in subpart 1 and has included experience or education in:

A. applying a variety of auditing procedures and techniques to the usual and customary financial transactions recorded in the accounting records;

B. preparation of audit working papers covering the audit of the accounts usually found in accounting records;

C. planning programs of audit work including the selection of procedures to be followed;

D. preparation of written explanations and comments on the findings of an audit and on the content of accounting records; and

E. preparation and analysis of financial statements together with explanations and notes.

**1307.0032 FEES.**

Subpart 1. **Jurisdiction.** Fees for the installation, alteration, repair, or removal of devices or for routine or periodic inspections covered in this part are as set forth in the fee schedule adopted by the jurisdiction or, in cases under permit issuance by the Department of Labor and Industry, as established in this part.

Subp. 2. **Establishment.** The Department of Labor and Industry's fees for a permit to install, alter, or remove devices within the scope of this code are:

A. A permit fee to install, alter, or remove an elevator is \$100, and \$500 if work that requires a permit is begun without a permit.

B. Inspection fees for installation and alteration of permitted elevator work are 1-1/2 percent of the total cost of the permitted work for labor and materials including related electrical and mechanical equipment. The total inspection fee shall not exceed \$1,000 per permit. The inspection fee covers two inspections. Additional inspections shall cost \$45 per hour, in accordance with part 1302.0600. The cost of special decorative fixtures in the permitted work

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may be deducted from the cost of the permitted elevator work up to a maximum of five percent of the total cost of the permitted work upon approval of the commissioner.

C. An elevator that passes Department of Labor and Industry's inspection will be issued an operating permit by the department.

Subp. 3. **Inspection fees.** The fees for a requested inspection of existing elevators by the Department of Labor and Industry are:

- A. two stop elevators, \$50;
- B. three stop elevators, \$75;
- C. four stop elevators, \$100;
- D. five stop elevators, \$125;
- E. six or more stop elevators, \$150; and
- F. escalators and moving walks, \$100.

Subp. 4. **Vertical reciprocating conveyor inspection fees.** Vertical reciprocating conveyors (ASME Standard B20.1) are subject to filing and inspection fees for new and altered installations, but are exempt from routine inspections by an elevator inspector.

**3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; ACCEPTABLE EXPERIENCE.** Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.**

C. Master elevator constructor, the minimum total is 60 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;
- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of 12 months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 48 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 24 months;
- (6) line work: minimum experience of zero months, maximum credit allowance of three months;
- (7) installing elevators: minimum experience of 24 months, maximum credit allowance of 60 months;
- (8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;
- (9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months; and
- (10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post-high school electrical course approved by the department.

**3800.3520 EXAMINATION; MINIMUM EXPERIENCE REQUIREMENTS FOR LICENSURE; ACCEPTABLE EXPERIENCE.** Subp. 5. **Schedule of minimum experience requirements and maximum experience allowances.**

D. Elevator constructor, the minimum total is 36 months, including:

- (1) planning for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (2) laying out for the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (3) supervising the installation of wiring, apparatus, and equipment for light, heat, and power: minimum experience of zero months, maximum credit allowance of zero months;
- (4) wiring for and installing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 36 months;
- (5) maintaining and repairing electrical wiring, apparatus, and equipment: minimum experience of zero months, maximum credit allowance of 12 months;

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(6) line work: minimum experience of zero months, maximum credit allowance of three months;

(7) installing elevators: minimum experience of 12 months, maximum credit allowance of 36 months;

(8) wiring and maintaining technology circuits or systems: minimum experience of zero months, maximum credit allowance of six months;

(9) wiring and maintaining process control circuits or systems: minimum experience of zero months, maximum credit allowance of 12 months; and

(10) a maximum of one year of experience credit will be allowed for the successful completion of a two-year, post-high school electrical course approved by the department.

**3800.3602 REQUIREMENTS FOR RENEWAL OF ELECTRICIAN AND POWER LIMITED TECHNICIAN LICENSE AND RENEWAL OF REGISTERED UNLICENSED INDIVIDUAL REGISTRATION. Subp. 2. Hours of instruction.**

B. The following license types are required to earn 16 hours of instruction through one or more educational programs:

- (1) Class A master electrician;
- (2) Class B master electrician;
- (3) Class A journeyman electrician;
- (4) Class B journeyman electrician;
- (5) master elevator constructor;
- (6) elevator constructor;
- (7) maintenance electrician;
- (8) Class A installer;
- (9) Class B installer; and
- (10) power limited technician.