

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

Section 1. **[181.721] CONSTRUCTION BID EQUITY.**

Subdivision 1. WORKERS' COMPENSATION AND UNEMPLOYMENT CONTRIBUTION COSTS. A successful bidder on a project must provide coverage for workers' compensation and unemployment compensation for its employees required under chapters 176 and 268, respectively, and other state and federal laws.

Subd. 2. EMPLOYEE STATUS. Employee status shall be determined using the same tests and in the same manner as employee status is determined under the applicable workers' compensation and unemployment insurance laws and rules.

Subd. 3. SCOPE. This section applies to any nonresidential project for the construction, repair, remodeling, alteration, conversion, modernization, improvement, rehabilitation, replacement, or renovation of a building or structure.

Subd. 4. CIVIL REMEDY. A person injured by a violation of subdivision 1 may bring an action for damages against the violator. There is a rebuttable presumption that a losing bidder on a project on which a violation of subdivision 1 has occurred has suffered damages in an amount equal to the profit it projected to make on its bid. The court may award attorney fees, costs, and disbursements to a party recovering under this subdivision.

Subd. 5. PENALTY. In addition to any other penalties provided by law for the failure to obtain required workers' compensation coverage or the failure to make unemployment insurance contributions, a person violating subdivision 1 is guilty of a misdemeanor.

Presented to the governor May 28, 1991

Signed by the governor May 31, 1991, 4:47 p.m.

CHAPTER 261—H.F.No. 1042

An act relating to economic development; changing the organization of the department of trade and economic development; providing for a report by the house economic development committee and the senate economic development and housing committee to the legislature on proposed economic development policy; creating a workplace safety program; amending Minnesota Statutes 1990, section 116J.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 116J.

New language is indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1990, section 116J.01, subdivision 3, is amended to read:

Subd. 3. **DEPARTMENTAL ORGANIZATION.** The commissioner shall organize the department as provided in section 15.06. The department must be organized into ~~four the following three divisions; designated as the business promotion and marketing division;~~ the community development division, the ~~policy business development and analysis and science and technology~~ division, and the Minnesota trade division, and the office of tourism. Each division and office shall administer the duties and functions assigned to it by law. When the duties of the divisions or office are not allocated by law, the commissioner may establish and revise the assignments of each division and office. Each division is under the direction of a deputy commissioner in the unclassified service. The deputy commissioner of the Minnesota trade division must be experienced and knowledgeable in matters of international trade.

Each office is under the direction of a director in the unclassified service.

Sec. 2. RECOMMENDATIONS TO LEGISLATURE ON ECONOMIC DEVELOPMENT POLICY.

The house economic development committee and the senate economic development and housing committee, in consultation with the department of trade and economic development, shall hold public hearings to receive citizen recommendations and shall report to the legislature by January 15, 1993, with recommendations on a statewide economic development policy for the state. The report shall:

(1) review and catalog the responsibilities and the relationships of the various state and local agencies involved in the delivery of services that promote economic development and redevelopment;

(2) recommend ways and means to better coordinate the delivery of economic development services;

(3) identify the ways in which the state provides support to economic development, including financing programs, technical assistance programs, promotion, training and education, and infrastructure development and maintenance;

(4) quantify the amount and types of expenditures on economic development;

(5) identify measures to evaluate the effectiveness of investments in economic development;

(6) consider recent changes in state tax law that affect economic development and redevelopment and evaluate the impact of these changes on local development;

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(7) review and comment on proposals submitted to it by the governor and the legislature;

(8) review and comment on research reports, studies, and papers on the public sector role in economic development; and

(9) hold hearings and conduct informal surveys to solicit the positions of business, industry, labor, and service providers.

Séc. 3. [116J.661] WORKPLACE SAFETY PROGRAM.

The commissioner shall provide through the business assistance center a program that provides assistance to businesses to create a safe workplace and to reduce the number and severity of workplace injuries. The program must include:

(1) providing information to business through publications, seminars, and other means;

(2) providing specific advice to individual businesses; and

(3) conducting research and developing safety programs with emphasis on businesses that have a high rate of workplace injury.

Presented to the governor May 29, 1991

Became law without the governor's signature June 2, 1991

[Revisor's Note: While the governor attempted to veto this chapter, the Ramsey County District Court found the attempted veto to be invalid.]

CHAPTER 262—H.F.No. 1050

An act relating to state government; requiring certain notice of proposed executive reorganization orders; amending Minnesota Statutes 1990, section 16B.37, subdivision 2.

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

Section 1. Minnesota Statutes 1990, section 16B.37, subdivision 2, is amended to read:

Subd. 2. **REORGANIZATION ORDER.** A transfer made pursuant to subdivision 1 must be in the form of a reorganization order. A proposed reorganization order must be submitted to the chairs of the governmental operations committees in the house of representatives and the senate at least 30 days before being filed with the secretary of state. A reorganization order must be filed with

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