Section 1. Minnesota Statutes 2020, section 175.16, subdivision 1, is amended to read:

Subdivision 1. Established. The Department of Labor and Industry shall consist of the following divisions: Division of Workers' Compensation, Division of Construction Codes and Licensing, Division of Occupational Safety and Health, Division of Statistics, Division of Labor Standards, and Division of Apprenticeship; and such other divisions as the commissioner of the Department of Labor and Industry may deem necessary and establish.

Each division of the department and persons in charge thereof shall be subject to the supervision of the commissioner of the Department of Labor and Industry and, in addition to such duties as are or may be imposed on them by statute, shall perform such other duties as may be assigned to them by the commissioner. Notwithstanding any other law to the contrary, the commissioner is the administrator and supervisor of all of the department's dispute resolution functions and personnel and may delegate authority to compensation judges and others to make determinations under sections 176.106, 176.238, and 176.239 and to approve settlement of claims under section 176.521.

Sec. 2. Minnesota Statutes 2020, section 177.26, is amended to read:

Subdivision 1. Creation. The Division of Labor Standards and Apprenticeship in the Department of Labor and Industry is supervised and controlled by the commissioner of labor and industry.

Subd. 2. Powers and duties. The Division of Labor Standards and Apprenticeship shall administer this chapter and chapters 178, 181, 181A, and 184.

Subd. 3. Employees; transfer from Division of Women and Children. All persons employed by the department in the Division of Women and Children are transferred to the Division of Labor Standards. A transferred person does not lose rights acquired by reason of employment at the time of transfer.

Sec. 3. Minnesota Statutes 2020, section 177.27, subdivision 4, is amended to read:

Subd. 4. Compliance orders. The commissioner may issue an order requiring an employer to comply with sections 177.21 to 177.435; 181.02; 181.03; 181.031; 181.032; 181.101; 181.11; 181.13; 181.14; 181.145; 181.15; 181.172; paragraph (a) or (d) of section 177.27; subdivision 2a; 181.722; 181.79; and 181.939 to 181.943, or 181.991; and with any rule promulgated under section 177.28. The commissioner shall issue an order requiring an employer to comply with sections 177.41 to 177.435 if the violation is repeated. For purposes of this subdivision only, a violation is repeated if at any time during the two years that preceded the date of violation, the commissioner issued an order to the employer for violation of sections 177.41 to 177.435 and the order is final or the commissioner and the employer
have entered into a settlement agreement that required the employer to pay back wages that
were required by sections 177.41 to 177.435. The department shall serve the order upon the
employer or the employer's authorized representative in person or by certified mail at the
employer's place of business. An employer who wishes to contest the order must file written
notice of objection to the order with the commissioner within 15 calendar days after being
served with the order. A contested case proceeding must then be held in accordance with
sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the
employer fails to file a written notice of objection with the commissioner, the order becomes
a final order of the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment and
applies to franchise agreements entered into or amended on or after that date.

Sec. 4. Minnesota Statutes 2020, section 178.01, is amended to read:

178.01 PURPOSES.
The purposes of this chapter are: to open to all people regardless of race, sex, creed,
color or national origin, the opportunity to obtain training and on-the-job learning that will
equip them for profitable employment and citizenship; to establish as a means to this end,
a program of voluntary apprenticeship under approved apprenticeship agreements providing
facilities for their training and guidance in the arts, skills, and crafts of industry and trade
or occupation, with concurrent, supplementary instruction in related subjects; to promote
apprenticeship opportunities under conditions providing adequate training and on-the-job
learning and reasonable earnings; to relate the supply of skilled workers to employment
demands; to establish standards for apprentice training; to establish an Apprenticeship Board
and apprenticeship committees to assist in effectuating the purposes of this chapter; to
provide for a Division of Labor Standards and Apprenticeship within the Department of
Labor and Industry; to provide for reports to the legislature regarding the status of apprentice
training in the state; to establish a procedure for the determination of apprenticeship
agreement controversies; and to accomplish related ends.

Sec. 5. Minnesota Statutes 2020, section 178.011, subdivision 7, is amended to read:

Subd. 7. Division. "Division" means the department's Labor Standards and Apprenticeship
Division, established under sections 175.16 and 178.03, and the State Apprenticeship Agency
as defined in Code of Federal Regulations, title 29, part 29, section 29.2.

Sec. 6. Minnesota Statutes 2020, section 178.03, subdivision 1, is amended to read:

Subdivision 1. Establishment of division. There is established a Division of Labor
Standards and Apprenticeship in the Department of Labor and Industry. This division shall
be administered by a director, and be under the supervision of the commissioner.
Sec. 7. Minnesota Statutes 2020, section 178.11, is amended to read:

178.11 LABOR EDUCATION ADVANCEMENT GRANT PROGRAM.

The commissioner shall establish the labor education advancement grant program for the purpose of facilitating the participation or retention of people of color, Indigenous people, and women in apprenticeable trades and occupations registered with the commissioner. The commissioner shall award grants to community-based and nonprofit organizations and Minnesota Tribal governments as defined in section 10.65, serving the targeted populations on a competitive request-for-proposal basis. Interested organizations shall apply for the grants in a form prescribed by the commissioner. As part of the application process, applicants must provide a statement of need for the grant, a description of the targeted population and apprenticeship opportunities, a description of activities to be funded by the grant, evidence supporting the ability to deliver services, information related to coordinating grant activities with other employment and learning programs, identification of matching funds, a budget, and performance objectives. Each submitted application shall be evaluated for completeness and effectiveness of the proposed grant activity.

Sec. 8. Minnesota Statutes 2020, section 181.9435, subdivision 1, is amended to read:

Subdivision 1. Investigation. The Division of Labor Standards and Apprenticeship shall receive complaints of employees against employers relating to sections 181.172, paragraph (a) or (d), and 181.939 to 181.9436 and investigate informally whether an employer may be in violation of sections 181.172, paragraph (a) or (d), and 181.939 to 181.9436. The division shall attempt to resolve employee complaints by informing employees and employers of the provisions of the law and directing employers to comply with the law. For complaints related to section 181.939, the division must contact the employer within two business days and investigate the complaint within ten days of receipt of the complaint.

Sec. 9. Minnesota Statutes 2020, section 181.9436, is amended to read:

181.9436 POSTING OF LAW.

The Division of Labor Standards and Apprenticeship shall develop, with the assistance of interested business and community organizations, an educational poster stating employees’ rights under sections 181.940 to 181.9436. The department shall make the poster available, upon request, to employers for posting on the employer’s premises.

Sec. 10. [181.988] COVENANTS NOT TO COMPETE VOID IN EMPLOYMENT AGREEMENTS; SUBSTANTIVE PROTECTIONS OF MINNESOTA LAW APPLY.

Subdivision 1. Definitions. (a) "Covenant not to compete" means an agreement between an employee and employer that restricts the employee, after termination of the employment, from performing:

1. work for another employer for a specified period of time;
130.18 (2) work in a specified geographical area; or
130.19 (3) work for another employer in a capacity that is similar to the employee's work for
130.20 the employer that is party to the agreement;
130.21 (b) "Employer" means any individual, partnership, association, corporation, business
130.22 trust, or any person or group of persons acting directly or indirectly in the interest of an
130.23 employer in relation to an employee;
130.24 Subd. 2. Covenants not to compete void and unenforceable. (a) Subject to the exception
130.25 in paragraph (b), any covenant not to compete contained in a contract or agreement is void
130.26 and unenforceable;
130.27 (b) Notwithstanding paragraph (a), a covenant not to compete between an employer and
130.28 employee is valid and enforceable if:
130.29 (1) the employee earned an annual salary from the employer at least equal to the median
130.30 family income for a four-person family in Minnesota, as determined by the United States
130.31 Census Bureau, for the most recent year available at the time of the employee's termination;
130.32 and
130.33 (2) the employer agrees to pay the employee on a pro rata basis during the entirety of
130.34 the restricted period of the covenant not to compete at least 50 percent of the employee's
130.35 highest annualized base salary paid by the employer within the two years preceding the
130.36 employee's separation from employment;
130.37 (c) Nothing in this subdivision shall be construed to render void or unenforceable any
130.38 other provisions in a contract or agreement containing a void or unenforceable covenant
130.39 not to compete;
130.40 (d) In addition to injunctive relief and any other remedies available, a court may award
130.41 an employee who is enforcing rights under this section reasonable attorney fees;
130.42 Subd. 3. Choice of law; venue. (a) An employer must not require an employee who
130.43 primarily resides and works in Minnesota, as a condition of employment, to agree to a
130.44 provision in an agreement or contract that would do either of the following:
130.45 (1) require the employee to adjudicate outside of Minnesota a claim arising in Minnesota;
130.46 or
130.47 (2) deprive the employee of the substantive protection of Minnesota law with respect to
130.48 a controversy arising in Minnesota;
130.49 (b) Any provision of a contract or agreement that violates paragraph (a) is voidable at
130.50 any time by the employee and if a provision is rendered void at the request of the employee,
130.51 the matter shall be adjudicated in Minnesota and Minnesota law shall govern the dispute.
In addition to injunctive relief and any other remedies available, a court may award an employee who is enforcing rights under this section reasonable attorney fees.

(d) For purposes of this section, adjudication includes litigation and arbitration.

(e) This subdivision shall not apply to a contract with an employee who is in fact individually represented by legal counsel in negotiating the terms of an agreement to designate either the venue or forum in which a controversy arising from the employment contract may be adjudicated or the choice of law to be applied.

Subd. 4. **Severability.** If any provision of this section is found to be unconstitutional and void, the remaining provisions of this section are valid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to contracts and agreements entered into on or after that date.

Subd. 1. **[181.991] RESTRICTIVE FRANCHISE AGREEMENTS PROHIBITED.**

Subdivision 1. **Definitions.**

(a) For purposes of this section, the following terms have the meanings given them:

(b) "Employee" means an individual employed by an employer and includes independent contractors.

(c) "Employer" has the meaning given in section 177.23, subdivision 6.

(d) "Franchise," "franchisee," and "franchisor" have the meanings given in section 80C.01, subdivisions 4 to 6.

Subd. 2. **Prohibition on restrictive franchise agreements.**

(a) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee of the franchisor.

(b) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee of the franchisor.

Subd. 3. **Franchise agreement amendment.** Notwithstanding any law to the contrary, no later than one year from the effective date of this section, franchisors shall amend existing franchise agreements to remove any restrictive employment provision that violates subdivision 2.

Subd. 4. **Civil action; penalties.**

(a) An employee alleging a violation of this section may bring a civil action for damages and injunctive relief against the employer.

(b) If the court finds that a franchisor has violated this section, the court shall enter judgment, grant injunctive relief as deemed appropriate, and award the employee plaintiff the greater of:
(1) the actual damages incurred by the plaintiff; plus any injunctive relief; costs; and reasonable attorney fees; or
(2) a $5,000 penalty.

If no civil action is commenced, the commissioner of labor and industry shall assess a $5,000 per employee penalty for violations of this section. This assessment is in addition to the commissioner's authority under section 177.27, subdivisions 4 and 7. Any penalty assessed under this subdivision shall be awarded to the employee plaintiff and not to the commissioner or the department.

Subd. 5. Severability. If any provision of this section is found to be unconstitutional and void, the remaining provisions of this section are valid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to franchise agreements entered into or amended on or after that date.
(e) If the license is issued under sections 326B.31 to 326B.59 or 326B.90 to 326B.925, then a board fee must be included in the license fee and the renewal license fee. The board fee for all license classifications shall be: $4 if the license duration is one year; and $8 if the license duration is two years.

(f) If the application is for the renewal of a license issued under sections 326B.802 to 326B.885, then the contractor recovery fund fee required under section 326B.89, subdivision 3, and any additional assessment required under section 326B.89, subdivision 16, must be included in the license renewal fee.

(g) Notwithstanding the fee amounts described in paragraphs (d) to (f), for the period October 1, 2021, through September 30, 2022, the following fees apply:

<table>
<thead>
<tr>
<th>License Classification</th>
<th>License Duration</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entry level</td>
<td>1 year</td>
<td>$10</td>
</tr>
<tr>
<td>Journeyworker</td>
<td>1 year</td>
<td>$15</td>
</tr>
<tr>
<td>Master</td>
<td>1 year</td>
<td>$30</td>
</tr>
<tr>
<td>Business</td>
<td>1 year</td>
<td>$60</td>
</tr>
<tr>
<td></td>
<td>2 years</td>
<td>$120</td>
</tr>
</tbody>
</table>

(h) For the period of July 1, 2022, through June 30, 2024, no fees described in paragraphs (c) to (e) shall apply, except as described in paragraph (f).

(i) Notwithstanding the fee amounts described in paragraphs (d) to (f), for the period of October 1, 2021, through September 30, 2023, the base license fee for business licenses shall be $120.

Sec. 13. Minnesota Statutes 2020, section 326B.103, subdivision 13, is amended to read:

Subd. 13. State licensed facility. "State licensed facility" means a building and its grounds that are licensed by the state as a hospital, nursing home, supervised living facility, free-standing outpatient surgical center, correctional facility, boarding care home, or residential hospice; or assisted living facility with dementia care.

Sec. 14. Minnesota Statutes 2020, section 326B.106, subdivision 1, is amended to read:

Subdivision 1. Adoption of code. (a) Subject to paragraphs (c) and (d) and sections 326B.101 to 326B.194, the commissioner shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings; governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety; including design and construction standards regarding heat loss control, illumination, and climate control. The
The code must also include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must conform insofar as practicable to model building codes generally accepted and in use throughout the United States, including a code for building conservation. In the preparation of the code, consideration must be given to the existing statewide specialty codes presently in use in the state. Model codes with necessary modifications and statewide specialty codes may be adopted by reference. The code must be based on the application of scientific principles, approved tests, and professional judgment. To the extent possible, the code must be adopted in terms of desired results instead of the means of achieving those results; avoiding wherever possible the incorporation of specifications of particular methods or materials. To that end the code must encourage the use of new methods and new materials. Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall administer and enforce the provisions of those sections.

(b) The commissioner shall develop rules addressing the plan review fee assessed to similar buildings without significant modifications including provisions for use of building systems as specified in the industrial/modular program specified in section 326B.194. Additional plan review fees associated with similar plans must be based on costs commensurate with the direct and indirect costs of the service.

(c) Beginning with the 2018 edition of the model building codes and every six years thereafter, the commissioner shall review the new model building codes and adopt the model codes as amended for use in Minnesota, within two years of the published edition date. The commissioner may adopt amendments to the building codes prior to the adoption of the new building codes to advance construction methods, technology, or materials, or, where necessary to protect the health, safety, and welfare of the public, or to improve the efficiency or the use of a building.

(d) Notwithstanding paragraph (c), the commissioner shall act on each new model residential energy code and the new model commercial energy code in accordance with federal law for which the United States Department of Energy has issued an affirmative determination in compliance with United States Code, title 42, section 6833. The commissioner shall act on the new model commercial energy code by adopting each new published edition and amending it as necessary to achieve a minimum of eight percent energy efficiency. The commissioner may adopt amendments prior to adoption of the new energy codes, as amended for use in Minnesota, to advance construction methods, technology, or materials, or, where necessary to protect the health, safety, and welfare of the public, or to improve the efficiency or use of a building.

Subd. 4. Special requirements. (a) Space for commuter vans. The code must require that any parking ramp or other parking facility constructed in accordance with the code include an appropriate number of spaces suitable for the parking of motor vehicles having a capacity of seven to 16 persons and which are principally used to provide prearranged...
commuter transportation of employees to or from their place of employment or to or from
a transit stop authorized by a local transit authority.

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

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

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

(e) Family and group family day care. Until the legislature enacts legislation specifying appropriate standards, the definition of dwellings constructed in accordance with the International Residential Code as adopted as part of the State Building Code applies to family and group family day care homes licensed by the Department of Human Services under Minnesota Rules, chapter 9302.

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

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

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

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

(j) Exterior wood decks, patios, and balconies. The code must permit the deck, ground level exit. A licensed day care center serving fewer than 30 preschool age persons and which is located in a belowground space in a church building is exempt from the State Building Code requirement for a ground level exit when the center has more than two stairways to the ground level and its exit.

(e) Family and group family day care. Until the legislature enacts legislation specifying appropriate standards, the definition of dwellings constructed in accordance with the International Residential Code as adopted as part of the State Building Code applies to family and group family day care homes licensed by the Department of Human Services under Minnesota Rules, chapter 9302.

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

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

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

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

(j) Exterior wood decks, patios, and balconies. The code must permit the deck surface and upper portions of exterior wood decks, patios, and balconies to be constructed of (1) heartwood from species of wood having natural resistance to decay or termites, including redwood and cedars, (2) grades of lumber which contain sapwood from species of wood having natural resistance to decay or termites, including redwood and cedars, or

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

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

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

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

(e) Family and group family day care. Until the legislature enacts legislation specifying appropriate standards, the definition of dwellings constructed in accordance with the International Residential Code as adopted as part of the State Building Code applies to family and group family day care homes licensed by the Department of Human Services under Minnesota Rules, chapter 9302.

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

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

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

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

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

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

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

(ii) the proposed work area being altered can include provisions for safe window cleaning. The commissioner may waive all or a portion of the requirements of this paragraph, related to reconstruction, alteration, or repair, if the installation of dedicated anchorages would not result in significant safety improvements due to limits on the size of the project, or other factors as determined by the commissioner.

(2) existing buildings undergoing alterations where both of the following conditions are met:

(i) the windows do not currently have safe window cleaning features; and

(ii) the proposed work area being altered can include provisions for safe window cleaning.

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

Sec. 16. Minnesota Statutes 2020, section 326B.145, is amended to read:

326B.145 ANNUAL REPORT.

(a) Each municipality shall annually report by June 30 to the department, in a format prescribed by the department, all construction and development-related fees collected by the municipality from developers, builders, and subcontractors if the cumulative fees collected exceeded $2,000 or $7,000 in the reporting year, except that, for reports due June 30, 2009, to June 30, 2013, the reporting threshold is $10,000.
The report must include:

1. the number and valuation of units for which fees were paid;
2. the amount of building permit fees, plan review fees, administrative fees, engineering fees, infrastructure fees, and other construction and development-related fees; and
3. the expenses associated with the municipal activities for which fees were collected.

A municipality that fails to report to the department in accordance with this section is subject to the remedies provided by section 326B.082.

Sec. 17. Minnesota Statutes 2021 Supplement, section 326B.153, subdivision 1, is amended to read:

Subdivision 1. Building permits.
(a) Fees for building permits submitted as required in section 326B.107 include:

1. the fee as set forth in the fee schedule in paragraph (b) or as adopted by a municipality; and
2. the surcharge required by section 326B.148.

(b) The total valuation and fee schedule is:

1. $1 to $500, $29.50; $21
2. $501 to $2,000, for the first $500 plus $3.70 for each additional $100 or fraction thereof, to and including $2,000;
3. $2,001 to $25,000, for the first $2,000 plus $3.70 for each additional $100 or fraction thereof, to and including $25,000;
4. $25,001 to $50,000, for the first $25,000 plus $16.55 for each additional $1,000 or fraction thereof, to and including $50,000;
5. $50,001 to $100,000, for the first $50,000 plus $42.75 for each additional $1,000 or fraction thereof, to and including $100,000;
6. $100,001 to $500,000, for the first $100,000 plus $12.50 for each additional $1,000 or fraction thereof, to and including $500,000;
7. $500,001 to $1,000,000, for the first $500,000 plus $12.50 for each additional $1,000 or fraction thereof, to and including $1,000,000; and
8. $1,000,001 and up, for the first $1,000,000 plus $2.75 for each additional $1,000 or fraction thereof.

(c) Other inspections and fees are:

1. the number and valuation of units for which fees were paid;
2. the amount of building permit fees, plan review fees, administrative fees, engineering fees, infrastructure fees, and other construction and development-related fees; and
3. the expenses associated with the municipal activities for which fees were collected.

A municipality that fails to report to the department in accordance with this section is subject to the remedies provided by section 326B.082.

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(b) The total valuation and fee schedule is:

1. $1 to $500, $29.50; $21
2. $501 to $2,000, for the first $500 plus $3.70 for each additional $100 or fraction thereof, to and including $2,000;
3. $2,001 to $25,000, for the first $2,000 plus $3.70 for each additional $100 or fraction thereof, to and including $25,000;
4. $25,001 to $50,000, for the first $25,000 plus $16.55 for each additional $1,000 or fraction thereof, to and including $50,000;
5. $50,001 to $100,000, for the first $50,000 plus $42.75 for each additional $1,000 or fraction thereof, to and including $100,000;
6. $100,001 to $500,000, for the first $100,000 plus $12.50 for each additional $1,000 or fraction thereof, to and including $500,000;
7. $500,001 to $1,000,000, for the first $500,000 plus $12.50 for each additional $1,000 or fraction thereof, to and including $1,000,000; and
8. $1,000,001 and up, for the first $1,000,000 plus $2.75 for each additional $1,000 or fraction thereof.

(c) Other inspections and fees are:
63.4 (1) inspections outside of normal business hours (minimum charge two hours), $63.25
63.5 per hour;
63.6 (2) reinspection fees, $63.25 per hour;
63.7 (3) inspections for which no fee is specifically indicated (minimum charge one-half
63.8 hour), $63.25 per hour; and
63.9 (4) additional plan review required by changes, additions, or revisions to approved plans
63.10 (minimum charge one-half hour), $63.25 per hour.
63.11 (d) If the actual hourly cost to the jurisdiction under paragraph (c) is greater than $63.25,
63.12 then the greater rate shall be paid. Hourly cost includes supervision, overhead, equipment,
63.13 hourly wages, and fringe benefits of the employees involved.
63.14 EFFECTIVE DATE. This section is effective retroactively from October 1, 2021.

Sec. 3. Minnesota Statutes 2020, section 326B.163, subdivision 5, is amended to read:

Subd. 5. Elevator. As used in this chapter, "elevator" means moving walks and vertical
63.16 transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters,
63.17 hand-powered elevators, endless belt lifts, and wheelchair platform lifts. Elevator does not
63.18 include external temporary material lifts or temporary construction personnel elevators at
63.19 sites of construction of new or remodeled buildings.
63.20 Sec. 4. Minnesota Statutes 2020, section 326B.163, is amended by adding a subdivision
63.21 to read:

Subd. 5a. Platform lift. As used in this chapter, "platform lift" means a powered hoisting
63.22 and lowering device designed to transport mobility-impaired persons on a guided platform.
63.23 Sec. 5. Minnesota Statutes 2020, section 326B.164, subdivision 13, is amended to read:

Subd. 13. Exemption from licensing. (a) Employees of a licensed elevator contractor
63.26 or licensed limited elevator contractor are not required to hold or obtain a license under this
63.27 section or be provided with direct supervision by a licensed master elevator constructor,
63.28 licensed limited master elevator constructor, licensed elevator constructor, or licensed limited
63.29 elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts.
63.30 Unlicensed employees performing elevator work under this exemption must comply with
63.31 subdivision 5. This exemption does not include the installation, maintenance, repair, or
63.32 replacement of electrical wiring for elevator equipment.

Sec. 19. Minnesota Statutes 2020, section 326B.163, subdivision 5, is amended to read:

Subd. 5. Elevator. As used in this chapter, "elevator" means moving walks and vertical
63.29 transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters,
63.30 hand-powered elevators, endless belt lifts, and wheelchair platform lifts. Elevator does not
63.31 include external temporary material lifts or temporary construction personnel elevators at
63.32 sites of construction of new or remodeled buildings.
63.33 Sec. 20. Minnesota Statutes 2020, section 326B.163, is amended by adding a subdivision
63.34 to read:

Subd. 5a. Platform lift. As used in this chapter, "platform lift" means a powered hoisting
63.35 and lowering device designed to transport mobility-impaired persons on a guided platform.
63.36 Sec. 21. Minnesota Statutes 2020, section 326B.164, subdivision 13, is amended to read:

Subd. 13. Exemption from licensing. (a) Employees of a licensed elevator contractor
63.38 or licensed limited elevator contractor are not required to hold or obtain a license under this
63.39 section or be provided with direct supervision by a licensed master elevator constructor,
63.40 licensed limited master elevator constructor, licensed elevator constructor, or licensed limited
63.41 elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts.
63.42 Unlicensed employees performing elevator work under this exemption must comply with
63.43 subdivision 5. This exemption does not include the installation, maintenance, repair, or
63.44 replacement of electrical wiring for elevator equipment.
(b) Contractors and individuals shall not be required to hold or obtain a license under this section when performing work on:

1. conveyors, including vertical reciprocating conveyors;
2. platform lifts not covered under section 326B.163, subdivision 5a; or
3. dock levelers.

Sec. 6. Minnesota Statutes 2020, section 326B.36, subdivision 7, is amended to read:

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

1. when owned or leased, operated and maintained by any employer whose maintenance electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing electrical maintenance work only as defined by rule;
2. when owned or leased, and operated and maintained by any electrical, communications, or railway utility, cable communications company as defined in section 238.02, or telephone company as defined under section 237.01, in the exercise of its utility, telecommunication, or telephone function; and
(i) are used exclusively for the generations, transformation, distribution, transmission, load control, or metering of electric current, or the operation of railway signals, or the transmission of intelligence, and do not have as a principal function the consumption or use of electric current by or for the benefit of any person other than such utility, cable communications company, or telephone company; and
(ii) are generally accessible only to employees of such utility, cable communications company, or telephone company or persons acting under its control or direction; and
(iii) are not on the load side of the service point or point of entrance for communication systems;
3. when in the street lighting operations of an electrical utility;
4. when used as outdoor area lights which are owned and operated by an electrical utility and which are connected directly to its distribution system and located upon the utility's distribution poles, and which are generally accessible only to employees of such utility or persons acting under its control or direction;
5. when the installation, material, and equipment are in facilities subject to the jurisdiction of the federal Mine Safety and Health Act; or
65.5 (6) when the installation, material, and equipment is part of an elevator installation for
65.6 which the elevator contractor, licensed under section 326B.164, is required to obtain a permit
65.7 from the authority having jurisdiction as provided by section 326B.184, and the inspection
65.8 has been or will be performed by an elevator inspector certified and licensed by the
department. This exemption shall apply only to installations, material, and equipment
65.10 permitted or required to be connected on the load side of the disconnecting means required
65.11 for elevator equipment under National Electrical Code Article 620, and elevator
65.12 communications and alarm systems within the machine room, car, hoistway, or elevator
65.13 lobby.

Sec. 7. Minnesota Statutes 2020, section 326B.36, is amended by adding a subdivision to
read:

Subd. 8. Electric utility exemptions; additional requirements. For exemptions to
inspections exclusively for load control allowed for electrical utilities under subdivision 7,
clause (2), item (i), the following requirements apply:

(1) the exempted work must be conducted by a Class A electrical contractor. If a
deficiency or code violation is found when conducting such work, the electrical contractor
or other designee must report the deficiency or code violation to the electric utility; and

(2) the electric utility must, within ten calendar days of discovering the need for repair,
inform the owner:

(i) of the location of the materials or equipment that need repair;

(ii) that a permit is required for the work; and

(iii) of a time frame for the repair to be complete, not to exceed six months, after which
the utility must disconnect the materials or equipment.

Sec. 8. Minnesota Statutes 2020, section 326B.42, subdivision 1b, is amended to read:

Subd. 1b. Backflow prevention rebuilder. (a) A "backflow prevention rebuilder" is an
individual who is qualified by training prescribed by the Plumbing Board and possesses a
master or journeyworker plumber's license to engage in the testing, maintenance, and
rebuilding of reduced pressure zone type backflow prevention assemblies as regulated by
the Plumbing Code.

(b) For the purposes of this section and section 326B.437, a backflow prevention rebuilder
who is qualified by training prescribed by the Plumbing Board and engages in rebuilding
of backflow prevention assemblies limited to systems used to apply water to soil and plant
materials or provide water to landscape features is exempt from the licensing requirements
of paragraph (a). Nothing in this paragraph allows an employee or delegate of the backflow
prevention rebuilder or tester to engage in the testing, maintenance, and rebuilding of
backflow prevention assemblies as regulated by the Plumbing Code, unless the employee

(6) when the installation, material, and equipment is part of an elevator installation for
which the elevator contractor, licensed under section 326B.164, is required to obtain a permit
from the authority having jurisdiction as provided by section 326B.184, and the inspection
has been or will be performed by an elevator inspector certified and licensed by the
department. This exemption shall apply only to installations, material, and equipment
permitted or required to be connected on the load side of the disconnecting means required
for elevator equipment under National Electrical Code Article 620, and elevator
communications and alarm systems within the machine room, car, hoistway, or elevator
lobby.
or delegate has the requisite backflow prevention tester or rebuilder training prescribed by the Plumbing Board.

Sec. 9. Minnesota Statutes 2020, section 326B.42, subdivision 1c, is amended to read:

Subd. 1c. Backflow prevention tester. A "backflow prevention tester" is an individual who is qualified by training prescribed by the Plumbing Board to engage in the testing of reduced pressure zone type backflow prevention assemblies as regulated by the Plumbing Code.

Sec. 10. Minnesota Statutes 2020, section 326B.437, is amended to read:

326B.437 REDUCED PRESSURE BACKFLOW PREVENTION REBUILDERS AND TESTERS.

(a) No person shall perform or offer to perform the installation, maintenance, repair, or replacement, or rebuilding of reduced pressure zone of backflow prevention assemblies unless the person obtains a plumbing contractor's license. An individual shall not engage in the testing, maintenance, repair, or rebuilding of reduced pressure zone backflow prevention assemblies, as regulated by the Plumbing Code, unless the individual is certified by the commissioner as a backflow prevention rebuilder.

(b) An individual shall not engage in testing of a reduced pressure zone backflow prevention assembly, as regulated by the Plumbing Code, unless the individual possesses a backflow prevention rebuilder certificate or is certified by the commissioner as a backflow prevention tester.

(c) Certificates are issued for an initial period of two years and must be renewed every two years thereafter for as long as the certificate holder installs, maintains, repairs, rebuilds, or tests reduced pressure zone backflow prevention assemblies. For purposes of calculating fees under section 326B.092, an initial or renewed backflow prevention rebuilder or tester certificate shall be considered an entry level license.

(d) The Plumbing Board shall adopt expedited rules under section 14.389 that are related to the certification of backflow prevention rebuilders and backflow prevention testers. Section 326B.13, subdivision 8, does not apply to these rules. Notwithstanding the 18-month limitation under section 14.125, this authority expires on December 31, 2014.

(e) The department shall recognize certification programs that are a minimum of 16 contact hours and include the passage of an examination. The examination must consist of a practical and a written component. This paragraph expires when the Plumbing Board adopts rules under paragraph (d).

Sec. 11. Minnesota Statutes 2020, section 326B.46, subdivision 2, is amended to read:

Subd. 2. Bond; insurance. (a) The bond and insurance requirements of paragraphs (b) and (c) apply to each person who performs or offers to perform plumbing work within the state, including any person who offers to perform or performs sewer or water service.
installation or backflow prevention testing or rebuilding as described under subdivision 1b; paragraph (b), without a contractor's license. If the person performs or offers to perform any plumbing work other than sewer or water service installation or backflow prevention testing or rebuilding as described under subdivision 1b, paragraph (b), then the person must meet the requirements of paragraphs (b) and (c) as a condition of holding a contractor's license:

(b) Each person who performs or offers to perform plumbing work within the state shall give and maintain bond to the state in the penal sum of at least $25,000 for (1) all plumbing work entered into within the state or (2) all plumbing work and subsurface sewage treatment work entered into within the state. The bond must comply with section 326B.0921. If the bond is for both plumbing work and subsurface sewage treatment work, the bond must comply with the requirements of this section and section 115.56, subdivision 2, paragraph (c).

c) Each person who performs or offers to perform plumbing work within the state shall have and maintain in effect public liability insurance, including products liability insurance with limits of at least $50,000 per person and $100,000 per occurrence and property damage insurance with limits of at least $10,000. The insurance shall be written by an insurer licensed to do business in the state of Minnesota. Each person who performs or offers to perform plumbing work within the state shall maintain on file with the commissioner a certificate evidencing the insurance. In the event of a policy cancellation, the insurer shall send written notice to the commissioner at the same time that a cancellation request is received from or a notice is sent to the insured.

Sec. 12. Laws 2021, First Special Session chapter 10, article 3, section 14, subdivision 1, is amended to read:

Subdivision 1. License required. (a) No individual shall engage in or work at the business of a master plumber, restricted master plumber, journeyworker plumber, and restricted journeyworker plumber unless licensed to do so by the commissioner. A license is not required for individuals performing building sewer or water service installation who have completed pipe laying training as prescribed by the commissioner. A license is not required for individuals servicing or installing a commercial chemical dispensing system or servicing or replacing a commercial dishwashing machine, including connecting a commercial chemical dispensing system or commercial dishwashing machine to a water line or drain line, provided that:

(1) the individual servicing or installing the commercial chemical dispensing system or servicing or replacing the commercial dishwashing machine is an employee of the manufacturer or distributor of the commercial chemical dispensing system or commercial dishwashing machine;

(2) the individual servicing or installing the commercial chemical dispensing system or servicing or replacing the commercial dishwashing machine has a minimum of 25 hours of classroom or laboratory training, a minimum of 20 hours of in-field training with a qualified
technician on the types of systems being installed, followed by a minimum of 100 hours of
supervised field experience. The training and experience curriculum required under this
clause must be approved by the commissioner, in consultation with the manufacturer or
distributor, but the commissioner shall not require training or experience hours in excess
of the amounts specified in this clause;

(3) the manufacturer or distributor of the commercial chemical dispensing system or
commercial dishwashing machine must meet the insurance requirements of section 326B.46,
subdivision 2, paragraph (c);

(4) the connection is a push fit fitting, compression fitting, or threaded pipe fitting to an
existing water line or drain, which has been initially installed by a licensed plumber; and

(5) the commercial chemical dispensing system complies with ASSE 1055 or contains
code-approved integral backflow protection.

A license is not required for individuals performing backflow prevention rebuilding as
described under subdivision 1b, paragraph (b), provided that the individual: (1) has completed
backflow prevention rebuilder training as prescribed by the Plumbing Board; and (2) has
obtained a nationally recognized third-party accredited professional irrigation certification
and any such professional certifications have been approved by the commissioner.

A master plumber may also work as a journeyworker plumber, a restricted journeyworker
plumber, and a restricted master plumber. A journeyworker plumber may also work as a
restricted journeyworker plumber. Anyone not so licensed may do plumbing work which
complies with the provisions of the minimum standards prescribed by the Plumbing Board
on premises or that part of premises owned and actually occupied by the worker as a
residence, unless otherwise forbidden to do so by a local ordinance;

(b) No person shall engage in the business of planning, superintending, or installing
plumbing or shall install plumbing in connection with the dealing in and selling of plumbing
material and supplies unless at all times a licensed master plumber, or in cities and towns
with a population of fewer than 5,000 according to the last federal census, a restricted master
plumber, who shall be responsible for proper installation, is in charge of the plumbing work
of the person.

(c) Except as provided in subdivision 1a, no person shall perform or offer to perform
plumbing work with or without compensation unless the person obtains a contractor's license;
A contractor's license does not of itself qualify its holder to perform the plumbing work
authorized by holding a master, journeyworker, restricted master, or restricted journeyworker
license.
Sec. 13. LAWS CHAPTER 32 EFFECTIVE DATE.

Notwithstanding any other law to the contrary, Laws 2022, chapter 32, articles 1 and 2, sections 1 to 12, are effective the day following final enactment, and Laws 2022, chapter 32, article 1, section 1, applies to appointments made on or after that date.