ARTICLE 10
LABOR POLICY

Section 1. Minnesota Statutes 2022, section 116J.871, subdivision 2, is amended to read:

Subd. 2. Prevailing wage required. (a) A state agency may provide financial assistance to a person only if the person receiving or benefiting from the financial assistance certifies to the commissioner of labor and industry that laborers and mechanics at the project site during construction, installation, remodeling, and repairs for which the financial assistance was provided will be paid the prevailing wage rate as defined in section 177.42, subdivision 6.

The person receiving or benefiting from the financial assistance is also subject to the requirements and enforcement provisions of sections 177.27, 177.30, 177.32, 177.41 to 177.45, and 177.45.

(b) For purposes of complying with section 177.30, paragraph (a), clauses (6) and (7), the state agency awarding the financial assistance is considered the contracting authority and the project is considered a public works project. The person receiving or benefiting from the financial assistance shall notify all employers on the project of the record keeping and reporting requirements.

Each employer shall submit the required information to the contracting authority.

Sec. 2. Minnesota Statutes 2022, 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. 3. Minnesota Statutes 2022, section 177.26, subdivision 1, 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.

ARTICLE 11
MISCELLANEOUS

Sec. 4. Minnesota Statutes 2022, section 116J.871, subdivision 2, is amended to read:

Subd. 2. Prevailing wage required. (a) A state agency may provide financial assistance to a person only if the person receiving or benefiting from the financial assistance certifies to the commissioner of labor and industry that laborers and mechanics at the project site during construction, installation, remodeling, and repairs for which the financial assistance was provided will be paid the prevailing wage rate as defined in section 177.42, subdivision 6.

Each employer shall submit the required information to the contracting authority.
Sec. 3. Minnesota Statutes 2022, section 177.26, subdivision 2, is amended to read:

the commissioner. agreement controversies; and to accomplish related ends.

administer this chapter and chapters 181, 181A, and 184.

Sec. 5. Minnesota Statutes 2022, section 177.27, subdivision 4, is amended to read:

Subd. 2. Compliance orders. The commissioner may issue an order requiring an employer to comply with sections 177.23 to 177.435; 179.86, 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), 181.214 to 181.217, 181.275, subdivision 2a, 181.635, 181.722, 181.79, 181.85 to 181.89, and 181.939 to 181.943, or with any rule promulgated under section 177.25, 181.215, or 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 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 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 may 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.

Sec. 6. Minnesota Statutes 2022, 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, trades, 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 2022, section 178.011, subdivision 7, is amended to read:

the purpose of facilitating the participation

Sec. 7. Minnesota Statutes 2022, section 178.011, subdivision 7, is amended to read:

Subd. 7.

of the application process, applicants must provide a statement of need for the grant, a

Subdivision 1.

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. 8. Minnesota Statutes 2022, 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. 9. Minnesota Statutes 2022, 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 minorities, people of color,

Indigenous peoples, and women in apprenticeable trades and occupations registered

apprenticeship programs. 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. 7. Minnesota Statutes 2022, section 178.11, subdivision 7, 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 minorities, people of color,

Indigenous peoples, and women in apprenticeable trades and occupations registered

apprenticeship programs. 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 2022, section 178.11, subdivision 7, 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 minorities, people of color,

Indigenous peoples, and women in apprenticeable trades and occupations registered

apprenticeship programs. 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.

181.536 POSTING OF VETERANS' BENEFITS AND SERVICES.

Subdivision 1. Poster creation; content. (a) The commissioner shall consult with the

commissioner of veterans affairs to create and distribute a veterans' benefits and services

poster.

(b) The poster must, at a minimum, include information regarding the following benefits

and services available to veterans:

(1) contact and website information for the Department of Veterans Affairs and the

department's veterans' services program;

(2) substance use disorder and mental health treatment;

(3) educational, workforce, and training resources;

(4) tax benefits;
Minnesota state veteran drivers' licenses and state identification cards; Serious violations.

Serious violations. A violation of its duties under section 182.653, or any standard, rule, or order adopted under Sec. 12. Minnesota Statutes 2022, section 182.666, subdivision 1, is amended to read:

(8) contact information for the U.S. Department of Veterans Affairs Veterans Crisis Line;

(9) The commissioner must annually review the poster's content and update the poster to include the most current information available.

Subd. 2. Mandatory posting. Every employer in the state with more than 50 full-time equivalent employees shall display the poster created pursuant to this section in a conspicuous place accessible to employees in the workplace.

Sec. 11. Minnesota Statutes 2022, section 181.9436, is amended to read:

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.
to exceed \( \$7,000 \) \( \$15,625 \) for each violation. If a serious violation under section 182.653, subdivision 2, causes or contributes to the death of an employee, the employer shall be assessed a fine of up to \( \$25,000 \) for each violation.

Sec. 14. Minnesota Statutes 2022, section 182.666, subdivision 3, is amended to read:

Subd. 3. Nonserious violations. Any employer who has received a citation for a violation of its duties under section 182.653, subdivisions 2 to 4, where the violation is specifically determined not to be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a fine of up to \( \$15,625 \) for each violation.

Sec. 15. Minnesota Statutes 2022, section 182.666, subdivision 4, is amended to read:

Subd. 4. Failure to correct a violation. Any employer who fails to correct a violation for which a citation has been issued under section 182.66 within the period permitted for its correction, which period shall not begin to run until the date of the final order of the commissioner in the case of any review proceedings under this chapter initiated by the employer in good faith and not solely for delay or avoidance of penalties, may be assessed a fine of not more than \( \$15,625 \) for each day during which the failure or violation continues.

Sec. 16. Minnesota Statutes 2022, section 182.666, subdivision 5, is amended to read:

Subd. 5. Posting violations. Any employer who violates any of the posting requirements, as prescribed under this chapter, except those prescribed under section 182.661, subdivision 3a, shall be assessed a fine of up to \( \$15,625 \) for each violation.

Sec. 17. Minnesota Statutes 2022, section 182.666, subdivision 6, is amended by adding a subdivision to read:

Subd. 6a. Increases for inflation. (a) Each year, beginning in 2023, the commissioner shall determine the percentage change in the Minneapolis-St. Paul-Bloomington, MN-WI, Consumer Price Index for All Urban Consumers (CPI-U) from the month of October in the preceding calendar year to the month of October in the current calendar year.

(b) The commissioner shall increase the fines in subdivisions 1 to 5, except for the fine for a serious violation under section 182.653, subdivision 2, that causes or contributes to the death of an employee, by the percentage change determined by the commissioner under paragraph (a), if the percentage change is greater than zero. The fines shall be increased to the nearest one dollar.

(c) If the percentage change determined by the commissioner under paragraph (a) is not greater than zero, the commissioner shall not change any of the fines in subdivisions 1 to 5.

Sec. 18. Minnesota Statutes 2022, section 182.666, subdivision 6a, is amended to read:

Subd. 6a. Increases for inflation. (a) Each year, beginning in 2023, the commissioner shall determine the percentage change in the Minneapolis-St. Paul-Bloomington, MN-WI, Consumer Price Index for All Urban Consumers (CPI-U) from the month of October in the preceding calendar year to the month of October in the current calendar year.

(b) The commissioner shall increase the fines in subdivisions 1 to 5, except for the fine for a serious violation under section 182.653, subdivision 2, that causes or contributes to the death of an employee, by the percentage change determined by the commissioner under paragraph (a), if the percentage change is greater than zero. The fines shall be increased to the nearest one dollar.

(c) If the percentage change determined by the commissioner under paragraph (a) is not greater than zero, the commissioner shall not change any of the fines in subdivisions 1 to 5.
Subdivision 1. Definitions. (a) For purposes of this section, the definitions in this subdivision apply unless otherwise specified.

(b) "Health care facility" means a hospital with a North American Industrial Classification system code of 622110, 622210, or 622310; an outpatient surgical center with a North American Industrial Classification system code of 621493; and a nursing home with a North American Industrial Classification system code of 623110.

(c) "Warehouse distribution center" means an employer with 100 or more employees in Minnesota and a North American Industrial Classification system code of 493110, 423110 to 423990, 454110, or 492110.

(d) "Meatpacking site" means a meatpacking or poultry processing site with 100 or more employees in Minnesota and a North American Industrial Classification system code of 493110, 423110 to 423990, 454110, or 492110.

(e) "Musculoskeletal disorder" or "MSD" means a disorder of the muscles, nerves, tendons, ligaments, joints, cartilage, blood vessels, or spinal discs.

Subd. 2. Ergonomics program required. (a) Every licensed health care facility, warehouse distribution center, or meatpacking site in the state shall create and implement an effective written ergonomics program establishing the employer’s plan to minimize the risk of its employees developing or aggravating musculoskeletal disorders by utilizing an ergonomics program. The ergonomics program shall focus on eliminating the risk. To the extent risk exists, the ergonomics program must include feasible administrative or engineering controls to reduce the risk.

(b) The program shall include:

(1) an assessment of hazards with regard to prevention of musculoskeletal disorders;

(2) an initial and ongoing training of employees on ergonomics and its benefits, including the importance of reporting early symptoms of musculoskeletal disorders;

(3) a procedure to ensure early reporting of musculoskeletal disorders to prevent or reduce the progression of symptoms, the development of serious injuries, and lost-time claims.
(4) a process for employees to provide possible solutions that may be implemented to reduce, control, or eliminate workplace musculoskeletal disorders;

(5) procedures to ensure that physical plant modifications and major construction projects are consistent with program goals; and

(6) annual evaluations of the ergonomics program and whenever a change to the work process occurs.

Subd. 3. Annual evaluation of program required. There must be an established procedure to annually assess the effectiveness of the ergonomics program, including evaluation of corrective actions taken in response to reporting of symptoms by employees. The annual assessment shall determine the success of the implemented ergonomic solutions and whether goals set by the ergonomics program have been met.

Subd. 4. Employee training. (a) An employer subject to this section must train all new and existing employees on the following:

(1) the name of each individual on the employer's safety committee;

(2) the facility's hazard prevention and control plan;

(3) the early signs and symptoms of musculoskeletal injuries and the procedures for reporting them;

(4) the procedures for reporting injuries and other hazards;

(5) any administrative or engineering controls related to ergonomic hazards that are in place or will be implemented at the facility;

(6) how to use personal protective equipment, whether it is available, and where it is located; and

(7) the requirements of subdivision 9.

(b) New and current employees must be trained according to paragraph (a) prior to starting work. The employer must provide the training during working hours and compensate the employee for attending the training at the employee's standard rate of pay. All training must be in a language and with vocabulary that the employee can understand.

(c) Updates to the information conveyed in the training shall be communicated to employees as soon as practicable.

Subd. 5. Involvement of employees. Employers subject to this section must solicit feedback for its ergonomics program through its safety committee required by section 148.13, in addition to any other opportunities for employee participation the employer may provide. The safety committee must be directly involved in ergonomics workplace assessments and participate in the annual evaluation required by subdivision 3.
Subd. 6. Workplace program or AWAIR. An employer subject to this section must reference its ergonomics program in a written Workplace Accident and Injury Reduction (AWAIR) program required by section 182.653, subdivision 8.

Subd. 7. Recordkeeping. An employer subject to this section must maintain:

1. A written certification dated and signed by each person who provides training and each employee who receives training pursuant to this section. The certification completed by the training providers must state that the employer has provided training consistent with the requirements of this section;

2. A record of all worker visits to on-site medical or first aid personnel for the last five years, regardless of severity or type of illness or injury; and

3. A record of all ergonomic injuries suffered by employees for the last five years.

Subd. 8. Availability of records. (a) The employer must ensure that the certification records required by subdivision 7, clause (1), are up to date and available to the commissioner, employees, and authorized employee representatives, if any, upon request.

(b) Upon the request of the commissioner, an employee, or an authorized employee representative, the employer must provide the requestor a redacted version of the medical or first aid records and records of all ergonomic injuries. The name, contact information, and occupation of an employee, and any other information that would reveal the identity of an employee, must be removed in the redacted version. The redacted version must only include, to the extent it would not reveal the identity of an employee, the location where the employee worked, the date of the injury or visit, a description of the medical treatment or first aid provided, and a description of the injury suffered.

(c) The employer must also make available to the commissioner the unredacted medical or first aid records and unredacted records of ergonomic injuries required by subdivision 7, clause (2), upon request.

Subd. 9. Reporting encouraged. Any employer subject to this section must not institute or maintain any program, policy, or practice that discourages employees from reporting injuries, hazards, or safety and health standard violations, including ergonomic-related hazards and symptoms of musculoskeletal disorders.

Subd. 10. Training materials. The commissioner shall make training materials on implementation of this section available to all employers, upon request, at no cost as part of the duties of the commissioner under section 182.673.

Subd. 11. Enforcement. This section shall be enforced by the commissioner under sections 182.66 and 182.661. A violation of this section is subject to the penalties provided under section 182.666.

Subd. 12. Grant program. (a) The commissioner shall establish an ergonomics grant program to provide matching funding for employers who are subject to this section to make
ergonomic improvements recommended by an on-site safety survey. Minnesota Rules, chapter 5203, applies to the administration of the grant program.

(b) To be eligible for a grant under this section, an employer must:

(1) be a licensed health care facility, warehouse distribution center, or meatpacking site as defined by subdivision 1;

(2) have current workers' compensation insurance provided through the assigned risk plan, provided by an insurer subject to penalties under chapter 176, or as an approved self-insured employer; and

(3) have an on-site safety survey with results that recommend specific equipment or practices that will reduce the risk of injury or illness to employees and prevent musculoskeletal disorders. This survey must have been conducted by a Minnesota occupational safety and health compliance investigator or workplace safety consultant, an in-house safety and health committee, a workers' compensation insurance underwriter, a private consultant, or a person under contract with the assigned risk plan.

(c) Grant funds may be used for all or part of the cost of the following:

(1) purchasing and installing recommended equipment intended to prevent musculoskeletal disorders;

(2) operating or maintaining recommended equipment intended to prevent musculoskeletal disorders;

(3) property, if the property is necessary to meet the recommendations of the on-site safety survey that are related to prevention of musculoskeletal disorders; and

(4) training required to operate recommended safety equipment to prevent musculoskeletal disorders; and

(5) tuition reimbursement for educational costs related to identifying ergonomic-related issues that are related to the recommendations of the on-site safety survey;

(d) The commissioner shall evaluate applications, submitted on forms developed by the commissioner, based on whether the proposed project:

(1) is technically and economically feasible;

(2) is consistent with the recommendations of the on-site safety survey and the objective of reducing risk of injury or illness to employees and preventing musculoskeletal disorders;

(3) was submitted by an applicant with sufficient experience, knowledge, and commitment for the project to be implemented in a timely manner;

(4) has the necessary financial commitments to cover all project costs;
(5) has the support of all public entities necessary for its completion; and

(6) complies with federal, state, and local regulations.

c) Grants under this section shall provide a match of up to $10,000 for private funds committed by the employer to implement the recommended ergonomics-related equipment or practices.

(f) Grants will be awarded to all applicants that meet the eligibility and evaluation criteria under paragraphs (b), (c), and (d) until funding is depleted. If there are more eligible requests than funding, awards will be prorated.

g) Grant recipients are not eligible to apply for another grant under chapter 176 until two years after the date of the award.

Subd. 13. Standard development. The commissioner may propose an ergonomics standard using the authority provided in section 182.655.

Sec. 19. Minnesota Statutes 2022, section 326B.096, is amended to read:

326B.096 REINSTATEMENT OF LICENSES.

Subdivision 1. Reinstatement after revocation. (a) If a license is revoked under this chapter and if an applicant for a license needs to pass an examination administered by the commissioner before becoming licensed, then, in order to have the license reinstated, the person who holds the revoked license must:

(1) retake the examination and achieve a passing score; and

(2) meet all other requirements for an initial license, including payment of the application and examination fee and the license fee. The person holding the revoked license is not eligible for Minnesota licensure without examination based on reciprocity.

(b) If a license is revoked under a chapter other than this chapter, then, in order to have the license reinstated, the person who holds the revoked license must:

(1) retake the examination and achieve a passing score; and

(2) meet all other requirements for an initial license, including payment of the application and examination fee and the license fee. The person holding the revoked license is not eligible for Minnesota licensure without examination based on reciprocity.

Sec. 20. Minnesota Statutes 2022, section 326B.096, is amended to read:

326B.096 REINSTATEMENT OF LICENSES.

Subdivision 1. Reinstatement after revocation. (a) If a license is revoked under this chapter and if an applicant for a license needs to pass an examination administered by the commissioner before becoming licensed, then, in order to have the license reinstated, the person who holds the revoked license must:

(1) retake the examination and achieve a passing score; and

(2) meet all other requirements for an initial license, including payment of the application and examination fee and the license fee. The person holding the revoked license is not eligible for Minnesota licensure without examination based on reciprocity.

(b) If a license is revoked under a chapter other than this chapter, then, in order to have the license reinstated, the person who holds the revoked license must:
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(1) apply for reinstatement to the commissioner no later than two years after the effective
date of the revocation;
(2) pay a $150 reinstatement application fee and any applicable renewal license fee; and
(3) meet all applicable requirements for licensure, except that, unless required by the
order revoking the license, the applicant does not need to retake any examination and does
not need to repay a license fee that was paid before the revocation.

Subd. 2. Reinstatement after suspension. If a license is suspended, then, in order to
have the license reinstated, the person who holds the suspended license must:
(1) apply for reinstatement to the commissioner no later than the date that the license
expiration date would have expired if it had not been terminated;
(2) pay a $150 reinstatement application fee and any applicable renewal license fee; and
(3) meet all applicable requirements for licensure, except that, unless required by the
order suspending the license, the applicant does not need to retake any examination and
does not need to repay a license fee that was paid before the suspension.

Subd. 3. Reinstatement after voluntary termination. A licensee who is not an individual
may voluntarily terminate a license issued to the person under this chapter. If a licensee has
voluntarily terminated a license under this subdivision, then, in order to have the license
reinstated, the person who holds the terminated license must:
(1) apply for reinstatement to the commissioner no later than the date that the license
would have expired if it had not been terminated;
(2) pay a $150 reinstatement application fee and any applicable renewal license fee; and
(3) meet all applicable requirements for licensure, except that the applicant does not
need to repay a license fee that was paid before the termination.

Sec. 21. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
to read:
Subd. 6a. Electric vehicle capable space. “Electric vehicle capable space” means a
designated automobile parking space that has electrical infrastructure, including but not
limited to raceways, cables, electrical capacity, and panelboard or other electrical distribution
space necessary for the future installation of an electric vehicle charging station.
Sec. 21. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision of scientific principles, approved tests, and professional judgment. To the extent possible codes presently in use in the state. Model codes with necessary modifications and statewide to read:

Subd. 6b. Electric vehicle charging station. "Electric vehicle charging station" means

a designated automobile parking space that has a dedicated connection for charging an electric vehicle.

Subd. 6c. Electric vehicle ready space. "Electric vehicle ready space" means a designated automobile parking space that has a branch circuit capable of supporting the installation of an electric vehicle charging station.

Subd. 10a. Parking facilities. "Parking facilities" includes parking lots, garages, ramps, or decks.

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, assisted living facility, including assisted living facility with dementia care, free-standing outpatient surgical center, correctional facility, boarding care home, or residential hospice.

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 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 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.

(e) Beginning in 2024, the commissioner shall act on the new model commercial energy code by adopting each new published edition of ASHRAE 90.1 or a more efficient standard. The commercial energy code in effect in 2036 and thereafter must achieve an 80 percent reduction in annual net energy consumption. By January 15 of the year following each new code adoption, the commissioner shall make a report on progress under this section to the legislative committees with jurisdiction over the energy code. The commissioner may adjust the standard as necessary upon consideration of the impact to building affordability, energy reliability, and other factors deemed appropriate. Nothing in this paragraph shall be construed to limit the installation, operation, or use of a system, appliance, or other equipment based on the energy source used to power the system, appliance, or other equipment.

(f) Nothing in this section shall be interpreted to limit the ability of a public utility to offer code support programs, or to claim energy savings resulting from such programs.

(g) 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.

(h) 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 consider amendments to the model energy codes that mitigate the impact of climate change and reduce greenhouse gas emissions by increasing and optimizing energy efficiency and improving resiliency of new buildings and existing buildings undergoing additions, alterations, and changes of use. 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.

(i) Beginning in 2024, the commissioner shall act on the new model commercial energy code by adopting each new published edition of ASHRAE 90.1 or a more efficient standard. The commercial energy code in effect in 2036 and thereafter must achieve an 80 percent reduction in annual net energy consumption. By January 15 of the year following each new code adoption, the commissioner shall make a report on progress under this section to the legislative committees with jurisdiction over the energy code.
through its energy conservation and optimization plans approved by the commissioner of commerce under section 216B.241 or an energy conservation and optimization plan filed by a consumer-owned utility under section 216B.2403.

Sec. 27. Minnesota Statutes 2022, section 326B.106, subdivision 4, is amended to read:

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.

(b) 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 9502.

(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.

Senate Language S3035-3

Article 10 Labor Policy

April 26, 2023 10:27 AM

House Language UES3035-2

Saturday April 26, 2023 10:27 AM

Revisor: Full-Text Side-by-Side
(i) Automatic garage door opening systems. The code must require all residential buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82 and 325F.83.

(ii) Exterior wood decks, patios, and balconies. The code must permit the docking 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 docking 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.

(l) 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.

(1) Window cleaning safety. The code must require the installation of dedicated anchorages for the purpose of suspended window cleaning on (1) new buildings four stories or greater and (2) buildings four stories or greater, only in those areas undergoing reconstruction, alteration, or repair that includes the exposure of primary structural components of the roof. The commissioner shall adopt rules, using the expedited rulemaking process in section 14.389, requiring window cleaning safety features that comply with a nationally recognized standard as part of the State Building Code. Window cleaning safety features shall be provided for all windows on:

(1) new buildings where determined by the code; and

(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, of the installation of dedicated anchorages, or other factors as determined by the commissioner, if the commissioner finds that the waiver will not result in significant safety improvements due to limits on the site of the property, 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, of the installation of dedicated anchorages, or other factors as determined by the commissioner, if the commissioner finds that the waiver will not result in significant safety improvements due to limits on the site of the property, or other factors as determined by the commissioner.
157.18 (n) Adult-size changing facilities. The commissioner shall adopt rules requiring
157.19 adult-size changing facilities as part of the State Building Code.
157.20 Sec. 28. Minnesota Statutes 2022, section 326B.106, is amended by adding a subdivision
157.21 to read:
157.22 Subd. 16. Electric vehicle charging. The code shall require a minimum number of
electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging
stations either within or adjacent to new commercial and multifamily structures that provide
on-site parking facilities. Residential structures with fewer than four dwelling units are
exempt from this subdivision.
157.23 Sec. 29. Minnesota Statutes 2022, section 326B.106, subdivision 15, is amended to read:
157.24 Subd. 15. Special skill. "Special skill" means one of the following eight categories:
157.25 (a) Excavation. Excavation includes work in any of the following areas:
157.26 (1) excavation;
157.27 (2) trenching; and
157.28 (3) grading.
157.29 (b) Masonry and concrete. Masonry and concrete includes work in any of the following
areas:
157.30 (1) drain systems;
157.31 (2) poured walls;
157.32 (3) slabs and poured-in-place footings;
157.33 (4) masonry walls;
157.34 (5) masonry fireplaces;
157.35 (6) masonry veneer; and
157.36 (7) water resistance and waterproofing.
157.37 (c) Carpentry. Carpentry includes work in any of the following areas:
157.38 (1) rough framing;
157.39 (2) finish carpentry;
157.40 (3) doors, windows, and skylights;
158.16 (4) porches and decks, excluding footings;
158.17 (5) wood foundations; and
158.18 (6) drywall installation, excluding taping and finishing.
158.19 (d) Interior finishing. Interior finishing includes work in any of the following areas:
158.20 (1) floor covering;
158.21 (2) wood floors;
158.22 (3) cabinet and counter top installation;
158.23 (4) insulation and vapor barriers;
158.24 (5) interior or exterior painting;
158.25 (6) ceramic, marble, and quarry tile;
158.26 (7) ornamental guardrail and installation of prefabricated stairs; and
158.27 (8) wallpapering.
159.1 (e) Exterior finishing. Exterior finishing includes work in any of the following areas:
159.2 (1) siding;
159.3 (2) soffit, fascia, and trim;
159.4 (3) exterior plaster and stucco;
159.5 (4) painting; and
159.6 (5) rain carrying systems, including gutters and down spouts.
159.7 (f) Drywall and plaster. Drywall and plaster includes work in any of the following areas:
159.8 (1) installation;
159.9 (2) taping;
159.10 (3) finishing;
159.11 (4) interior plaster;
159.12 (5) painting; and
159.13 (6) wallpapering.
159.14 (g) Residential roofing. Residential roofing includes work in any of the following areas:
159.15 (1) roof coverings;
(2) roof sheathing;
(3) roof weatherproofing and insulation; and
(4) repair of roof support system, but not construction of new roof support system; and
(5) penetration of roof coverings for purposes of attaching a solar photovoltaic system.

(h) General installation specialties. Installation includes work in any of the following areas:

(1) garage doors and openers;
(2) pools, spas, and hot tubs;
(3) fireplaces and wood stoves;
(4) asphalt paving and seal coating; and
(5) ornamental guardrail and prefabricated stairs; and
(6) assembly of the support system for a solar photovoltaic system.

Sec. 30. RULEMAKING AUTHORITY.

The commissioner of labor and industry shall adopt rules, using the expedited rulemaking process in Minnesota Statutes, section 14.389, that set forth adult-size changing facilities to conform with the addition of Minnesota Statutes, section 326B.106, subdivision 4, paragraph (b), under this act.

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

Sec. 31. REPEALER.

Minnesota Statutes 2022, subdivision 3, is repealed.

Sec. 30. RULEMAKING AUTHORITY.

The commissioner of labor and industry shall adopt rules, using the expedited rulemaking process in Minnesota Statutes, section 14.389, that set forth adult-size changing facilities to conform with the addition of Minnesota Statutes, section 326B.106, subdivision 4, paragraph (b), under this act.

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Sec. 30. REPEALER.

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