

1.1 moves to amend H.F. No. 3056 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2018, section 363A.36, is amended by adding a subdivision
1.4 to read:

1.5 Subd. 1a. **Scope of application; state capital funding.** (a) An agency or political
1.6 subdivision that uses state money to pay for part or all of a capital project is subject to all
1.7 the restrictions in, and must comply with, subdivision 1 for contracts exceeding the specified
1.8 threshold.

1.9 (b) For the purposes of this subdivision, the following terms have the meanings given
1.10 them:

1.11 (1) "agency or political subdivision" means a state board, commission, authority,
1.12 department, or other agency of the executive branch of state government; the Minnesota
1.13 Historical Society; the Minnesota State Colleges and Universities; the University of
1.14 Minnesota; or a political subdivision of the state;

1.15 (2) "capital project" means the acquisition and betterment of land and buildings and
1.16 other public improvements in the state, including acquisition of real property or an interest
1.17 in real property, predesign, design, engineering, site preparation and related environmental
1.18 work, renovation, construction, furnishing, and equipping;

1.19 (3) "political subdivision of the state" means a county, home rule charter or statutory
1.20 city, town, school district, metropolitan or regional agency, public corporation established
1.21 in law, or other special or limited purpose district created or authorized by law; and

1.22 (4) "state money" means the proceeds of state general obligation bonds issued under
1.23 article XI, section 5, paragraph (a), of the Minnesota Constitution.

2.1 (c) This subdivision applies to a capital project or discrete phase of a capital project that
2.2 is appropriated state money on or after January 1, 2022.

2.3 Sec. 2. Minnesota Statutes 2018, section 363A.44, subdivision 1, is amended to read:

2.4 Subdivision 1. **Scope.** (a) No department, agency of the state, the Metropolitan Council,
2.5 or an agency subject to section 473.143, subdivision 1, shall execute a contract for goods
2.6 or services or an agreement for goods or services in excess of \$500,000 with a business that
2.7 has 40 or more full-time employees in this state or a state where the business has its primary
2.8 place of business on a single day during the prior 12 months, unless the business has an
2.9 equal pay certificate or it has certified in writing that it is exempt. A certificate is valid for
2.10 four years.

2.11 (b) An agency or political subdivision that uses state money to pay for part or all of a
2.12 capital project is subject to all the restrictions in, and must comply with, this section for
2.13 contracts exceeding the specified threshold. "Agency or political subdivision," "capital
2.14 project," "political subdivision," and "state money" are defined as provided in section
2.15 363A.36, subdivision 1a. This paragraph applies to a capital project or discrete phase of a
2.16 capital project that is appropriated state money on or after January 1, 2022.

2.17 ~~(b)~~ (c) This section does not apply to a business with respect to a specific contract if the
2.18 commissioner of administration determines that application of this section would cause
2.19 undue hardship to the contracting entity. This section does not apply to a contract to provide
2.20 goods and services to individuals under chapters 43A, 62A, 62C, 62D, 62E, 256B, 256I,
2.21 256L, and 268A, with a business that has a license, certification, registration, provider
2.22 agreement, or provider enrollment contract that is prerequisite to providing those goods and
2.23 services. This section does not apply to contracts entered into by the State Board of
2.24 Investment for investment options under section 352.965, subdivision 4."