

1.1 Senator ..... moves to amend S.F. No. 5242, in conference committee, as follows:

1.2 On R37, Labor, House language, (H5242-3)

1.3 Page 90, line 28, delete "as defined in paragraph (e)." and insert ", meaning all laborers  
1.4 and mechanics performing construction, installation, remodeling, or repairs on the project  
1.5 sites for which the grant is provided:"

1.6 Page 90, after line 28, insert:

1.7 "(1) are paid the prevailing wage rate as defined in section 177.42, subdivision 6, and  
1.8 the applicant and all of its construction contractors and subcontractors agree that the payment  
1.9 of prevailing wage to such laborers and mechanics is subject to the requirements and  
1.10 enforcement provisions under sections 177.27, 177.30, 177.32, 177.41 to 177.435, and  
1.11 177.45, which the commissioner of labor and industry shall have the authority to enforce;  
1.12 or

1.13 (2) receive from their employer:

1.14 (i) at least 40 hours of hands-on skills training annually;

1.15 (ii) employer-paid family health insurance coverage; and

1.16 (iii) employer-paid retirement benefit payments equal to no less than 15 percent of the  
1.17 employee's total taxable wages."

1.18 Page 91, delete lines 1 to 31

1.19 On R38, Labor, House language, (H5242-3)

1.20 Page 92, delete lines 1 to 4 and insert:

1.21 "(d) The commissioner shall endeavor to award no less than 50 percent of grant awards  
1.22 from general fund appropriations for the border-to-border broadband grant program under  
1.23 section 116J.396 for applicants that agree to implement the workforce best practices in this  
1.24 section. The applicant's agreement to implement the workforce best practices described in  
1.25 paragraph (b) must be an express condition of providing the grant in the grant agreement.

1.26 **EFFECTIVE DATE.** This section is effective January 1, 2026."

1.27 Page 92, before line 5, insert:

"Sec. 2. Minnesota Statutes 2022, section 116J.395, is amended by adding a subdivision to read:

Subd. 9. **Workforce plan data.** (a) Grantees in projects funded under this section are required to provide in annual reports information on the workforce performing installation work funded through the grant, including:

(1) the number of installation labor hours performed by workforce directly employed by the grantee or the Internet service provider;

(2) the number of installation labor hours performed by contractors and subcontractors on grant-funded projects with subtotals for hours worked by Minnesota residents, people of color, Indigenous people, women, and people with disabilities;

(3) the name, business address, and number of labor hours performed by each contractor and subcontractor that participated in construction of a grant-funded project;

(4) the percentages of workforce performing installation labor whose straight-time hourly pay rate was at least \$25 and who received employer-paid medical coverage and retirement benefits; and

(5) any other workforce plan information as determined by the commissioner.

(b) Following an award, the workforce plan and the requirement to submit ongoing workforce reports shall be incorporated as material conditions of the contract with the department and become enforceable, certified commitments.

**EFFECTIVE DATE.** This section is effective January 1, 2026.

Sec. 3. Minnesota Statutes 2022, section 116J.395, is amended by adding a subdivision to read:

Subd. 10. **Failure to meet requirements or falsification of data.** If successful applicants fail to meet the program requirements under this section, or otherwise falsify information regarding such requirements, the commissioner shall investigate the failure and issue an appropriate action, up to and including a determination that the applicant is ineligible for future participation in broadband grant programs funded by the department.

**EFFECTIVE DATE.** This section is effective January 1, 2026."

On R38, Labor, House language, (H5242-3)

Page 93, delete section 3

On R43, Labor, House language, (H5242-3)

3.1 Page 97, after line 11, insert:

3.2 "Sec. 10. [326B.198] UNDERGROUND TELECOMMUNICATIONS  
3.3 INFRASTRUCTURE.

3.4 Subdivision 1. **Definitions.** For the purposes of this section:

3.5 (1) "directional drilling" means a drilling method that utilizes a steerable drill bit to cut  
3.6 a bore hole for installing underground utilities;

3.7 (2) "safety-qualified underground telecommunications installer" means a person who  
3.8 has completed underground utilities installation certification under subdivision 3;

3.9 (3) "underground telecommunications utilities" means buried broadband, telephone and  
3.10 other telecommunications transmission, distribution and service lines, and associated  
3.11 facilities; and

3.12 (4) "underground utilities" means buried electric transmission and distribution lines, gas  
3.13 and hazardous liquids pipelines and distribution lines, sewer and water pipelines, telephone  
3.14 or telecommunications lines, and associated facilities.

3.15 Subd. 2. **Installation requirements.** The installation of underground telecommunications  
3.16 infrastructure that is located within ten feet of existing underground utilities or that crosses  
3.17 said utilities must be performed by safety-qualified underground telecommunications  
3.18 installers as follows:

3.19 (1) the location of existing utilities by hand or hydro excavation or other accepted methods  
3.20 must be performed by a safety-qualified underground telecommunications installer;

3.21 (2) where telecommunications infrastructure is installed by means of directional drilling,  
3.22 the monitoring of the location and depth of the drill head must be performed by a  
3.23 safety-qualified underground telecommunications installer; and

3.24 (3) no less than two safety-qualified underground telecommunications installers must  
3.25 be present at all times at any location where telecommunications infrastructure is being  
3.26 installed by means of directional drilling.

3.27 Subd. 3. **Certification Standards.** (a) The commissioner of labor and industry shall  
3.28 approve standards for a safety-qualified underground telecommunications installer  
3.29 certification program that requires a person to:

3.30 (1) complete a 40-hour initial course that includes classroom and hands-on instruction  
3.31 covering proper work procedures for safe installation of underground utilities, including:

- 4.1 (i) regulations applicable to excavation near existing utilities;
- 4.2 (ii) identification, location, and verification of utility lines using hand or hydro excavation
- 4.3 or other accepted methods;
- 4.4 (iii) response to line strike incidents;
- 4.5 (iv) traffic control procedures;
- 4.6 (v) use of a tracking device to safely guide directional drill equipment along a drill path;
- 4.7 and
- 4.8 (vi) avoidance and mitigation of safety hazards posed by underground utility installation
- 4.9 projects;
- 4.10 (2) demonstrate knowledge of the course material by successfully completing an
- 4.11 examination approved by the commissioner; and
- 4.12 (3) complete a four-hour refresher course within three years of completing the original
- 4.13 course and every three years thereafter in order to maintain certification.
- 4.14 (b) The commissioner must develop an approval process for training providers under
- 4.15 this subdivision, and may suspend or revoke the approval of any training provider that fails
- 4.16 to demonstrate consistent delivery of approved curriculum or success in preparing participants
- 4.17 to complete the examination.
- 4.18 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
- 4.19 the requirement for use of safety-qualified underground telecommunications installers under
- 4.20 subdivision 2 is effective on July 1, 2025."
- 4.21 Renumber the sections in sequence and correct the internal references
- 4.22 Amend the title accordingly