

1.1 moves to amend H.F. No. 4300, the fourth engrossment, in conference
1.2 committee, as follows:

1.3 On R14, House language, (H4300-4)

1.4 Page 18, line 7, before "A" insert "For taxes payable in years prior to 2023,"

1.5 Page 18, line 14, strike "less its career and technical levy"

1.6 On R30, House language, (H4300-4)

1.7 Page 36, after line 5, insert:

1.8 "Sec. 43. Minnesota Statutes 2020, section 126C.43, subdivision 2, is amended to read:

1.9 Subd. 2. **Payment to unemployment insurance program trust fund by state and**
1.10 **political subdivisions.** (a) A district may levy the amount necessary (1) to pay the district's
1.11 obligations under section 268.052, subdivision 1, and (2) to pay for job placement services
1.12 offered to employees who may become eligible for benefits pursuant to section 268.085 for
1.13 the fiscal year the levy is certified.

1.14 (b) Districts with a balance remaining in their reserve for reemployment as of June 30,
1.15 2003, may not expend the reserved funds for future reemployment expenditures. Each year
1.16 a levy reduction must be made to return these funds to taxpayers. The amount of the levy
1.17 reduction must be equal to the lesser of: (1) the remaining reserved balance for reemployment,
1.18 or (2) the amount of the district's current levy under paragraph (a).

1.19 (c) A district that is a member of an intermediate school district or other cooperative
1.20 unit under section 123A.24, subdivision 2, may include in its authority under this section
1.21 the costs associated with qualifying obligations under paragraph (a) for the cooperative unit.
1.22 Revenue raised under this paragraph must be transferred to the cooperative unit.

1.23 **EFFECTIVE DATE.** This section is effective for taxes payable in 2023 and later."

2.1 Page 36, after line 10, insert:

2.2 "Sec. 45. Minnesota Statutes 2020, section 268.085, subdivision 7, is amended to read:

2.3 Subd. 7. **School employees; between terms denial.** (a) Wage credits from employment
2.4 with an educational institution or institutions may not be used for unemployment benefit
2.5 purposes for any week during the period between two successive academic years or terms
2.6 if:

2.7 (1) the applicant had employment for an educational institution or institutions in the
2.8 prior academic year or term; and

2.9 (2) there is a reasonable assurance that the applicant will have employment for an
2.10 educational institution or institutions in the following academic year or term.

2.11 This paragraph applies to a vacation period or holiday recess if the applicant was
2.12 employed immediately before the vacation period or holiday recess, and there is a reasonable
2.13 assurance that the applicant will be employed immediately following the vacation period
2.14 or holiday recess. This paragraph also applies to the period between two regular but not
2.15 successive terms if there is an agreement for that schedule between the applicant and the
2.16 educational institution.

2.17 This paragraph does not apply if the subsequent employment is substantially less
2.18 favorable than the employment of the prior academic year or term, or the employment prior
2.19 to the vacation period or holiday recess.

2.20 (b) Paragraph (a) does not apply to an applicant who, at the end of the prior academic
2.21 year or term, had an agreement for a definite period of employment between academic years
2.22 or terms in other than an instructional, research, or principal administrative capacity and
2.23 the educational institution or institutions failed to provide that employment.

2.24 (c) Paragraph (a) does not apply to the period between successive academic years or
2.25 terms if the applicant's wage credits were in a position for which no license is required by
2.26 the Professional Educator Licensing and Standards Board or the Board of School
2.27 Administrators in the employment of an employer defined in section 123A.24, subdivision
2.28 2, or section 123A.55.

2.29 ~~(e)~~ (d) If unemployment benefits are denied to any applicant under paragraph (a) who
2.30 was employed in the prior academic year or term in other than an instructional, research,
2.31 or principal administrative capacity and who was not offered an opportunity to perform the
2.32 employment in the following academic year or term, the applicant is entitled to retroactive
2.33 unemployment benefits for each week during the period between academic years or terms

3.1 that the applicant filed a timely continued request for unemployment benefits, but
3.2 unemployment benefits were denied solely because of paragraph (a).

3.3 ~~(d)~~ (e) This subdivision applies to employment with an educational service agency if
3.4 the applicant performed the services at an educational institution or institutions. "Educational
3.5 service agency" means a governmental entity established and operated for the purpose of
3.6 providing services to one or more educational institutions.

3.7 ~~(e)~~ (f) This subdivision applies to employment with Minnesota, a political subdivision,
3.8 or a nonprofit organization, if the services are provided to or on behalf of an educational
3.9 institution or institutions.

3.10 ~~(f)~~ (g) Paragraph (a) applies beginning the Sunday of the week that there is a reasonable
3.11 assurance of employment.

3.12 ~~(g)~~ (h) Employment and a reasonable assurance with multiple education institutions
3.13 must be aggregated for purposes of application of this subdivision.

3.14 ~~(h)~~ (i) If all of the applicant's employment with any educational institution or institutions
3.15 during the prior academic year or term consisted of on-call employment, and the applicant
3.16 has a reasonable assurance of any on-call employment with any educational institution or
3.17 institutions for the following academic year or term, it is not considered substantially less
3.18 favorable employment.

3.19 ~~(i)~~ (j) A "reasonable assurance" may be written, oral, implied, or established by custom
3.20 or practice.

3.21 ~~(j)~~ (k) An "educational institution" is a school, college, university, or other educational
3.22 entity operated by Minnesota, a political subdivision or instrumentality thereof, or a nonprofit
3.23 organization.

3.24 ~~(k)~~ (l) An "instructional, research, or principal administrative capacity" does not include
3.25 an educational assistant.

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

3.27 Sec. 46. Minnesota Statutes 2020, section 268.19, subdivision 1, is amended to read:

3.28 Subdivision 1. **Use of data.** (a) Except as provided by this section, data gathered from
3.29 any person under the administration of the Minnesota Unemployment Insurance Law are
3.30 private data on individuals or nonpublic data not on individuals as defined in section 13.02,
3.31 subdivisions 9 and 12, and may not be disclosed except according to a district court order
3.32 or section 13.05. A subpoena is not considered a district court order. These data may be

4.1 disseminated to and used by the following agencies without the consent of the subject of
4.2 the data:

4.3 (1) state and federal agencies specifically authorized access to the data by state or federal
4.4 law;

4.5 (2) any agency of any other state or any federal agency charged with the administration
4.6 of an unemployment insurance program;

4.7 (3) any agency responsible for the maintenance of a system of public employment offices
4.8 for the purpose of assisting individuals in obtaining employment;

4.9 (4) the public authority responsible for child support in Minnesota or any other state in
4.10 accordance with section 256.978;

4.11 (5) human rights agencies within Minnesota that have enforcement powers;

4.12 (6) the Department of Revenue to the extent necessary for its duties under Minnesota
4.13 laws;

4.14 (7) public and private agencies responsible for administering publicly financed assistance
4.15 programs for the purpose of monitoring the eligibility of the program's recipients;

4.16 (8) the Department of Labor and Industry and the Commerce Fraud Bureau in the
4.17 Department of Commerce for uses consistent with the administration of their duties under
4.18 Minnesota law;

4.19 (9) the Department of Human Services and the Office of Inspector General and its agents
4.20 within the Department of Human Services, including county fraud investigators, for
4.21 investigations related to recipient or provider fraud and employees of providers when the
4.22 provider is suspected of committing public assistance fraud;

4.23 (10) local and state welfare agencies for monitoring the eligibility of the data subject
4.24 for assistance programs, or for any employment or training program administered by those
4.25 agencies, whether alone, in combination with another welfare agency, or in conjunction
4.26 with the department or to monitor and evaluate the statewide Minnesota family investment
4.27 program by providing data on recipients and former recipients of Supplemental Nutrition
4.28 Assistance Program (SNAP) benefits, cash assistance under chapter 256, 256D, 256J, or
4.29 256K, child care assistance under chapter 119B, or medical programs under chapter 256B
4.30 or 256L or formerly codified under chapter 256D;

5.1 (11) local and state welfare agencies for the purpose of identifying employment, wages,
5.2 and other information to assist in the collection of an overpayment debt in an assistance
5.3 program;

5.4 (12) local, state, and federal law enforcement agencies for the purpose of ascertaining
5.5 the last known address and employment location of an individual who is the subject of a
5.6 criminal investigation;

5.7 (13) the United States Immigration and Customs Enforcement has access to data on
5.8 specific individuals and specific employers provided the specific individual or specific
5.9 employer is the subject of an investigation by that agency;

5.10 (14) the Department of Health for the purposes of epidemiologic investigations;

5.11 (15) the Department of Corrections for the purposes of case planning and internal research
5.12 for preprobation, probation, and postprobation employment tracking of offenders sentenced
5.13 to probation and preconfinement and postconfinement employment tracking of committed
5.14 offenders;

5.15 (16) the state auditor to the extent necessary to conduct audits of job opportunity building
5.16 zones as required under section 469.3201; ~~and~~

5.17 (17) the Office of Higher Education for purposes of supporting program improvement,
5.18 system evaluation, and research initiatives including the Statewide Longitudinal Education
5.19 Data System; and

5.20 (18) the Department of Education for the purposes of the school district unemployment
5.21 insurance levy under section 126C.43, subdivision 2.

5.22 (b) Data on individuals and employers that are collected, maintained, or used by the
5.23 department in an investigation under section 268.182 are confidential as to data on individuals
5.24 and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3
5.25 and 13, and must not be disclosed except under statute or district court order or to a party
5.26 named in a criminal proceeding, administrative or judicial, for preparation of a defense.

5.27 (c) Data gathered by the department in the administration of the Minnesota unemployment
5.28 insurance program must not be made the subject or the basis for any suit in any civil
5.29 proceedings, administrative or judicial, unless the action is initiated by the department.

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

5.31 On R34, House language, (H4300-4)

5.32 Page 40, after line 13, insert:

- 6.1 "Sec. **REPEALER.**
- 6.2 Minnesota Statutes 2020, section 268.085, subdivision 8, is repealed.
- 6.3 **EFFECTIVE DATE.** This section is effective the day following final enactment."
- 6.4 Renumber the sections in sequence and correct the internal references
- 6.5 Amend the title accordingly