

1.1 Senator ..... moves to amend S.F. No. 10 as follows:

1.2 Page 3, delete subdivision 3 and insert:

1.3 "Subd. 3. **Penalties.** (a) The Division of Labor Standards shall receive complaints of  
1.4 violations of this section. The commissioner of labor and industry shall fine an owner or  
1.5 operator, contractor, or subcontractor of any tier not less than \$5,000 nor more than \$10,000  
1.6 for each violation of the requirements in this section.

1.7 (b) An owner or operator shall be found in violation of this section, and subject to fines  
1.8 and other penalties, for failing to:

1.9 (1) require a skilled and trained workforce in its contracts and subcontracts as required  
1.10 by subdivision 2, clause (a); or

1.11 (2) enforce the requirement of use of a skilled and trained workforce after being put on  
1.12 notice that a contractor or subcontractor is not using a skilled and trained workforce as  
1.13 required by subdivision 2, clause (a).

1.14 (c) A contractor or subcontractor shall be found in violation of this section, and subject  
1.15 to fines and other penalties, if the contractor or subcontractor fails to use a skilled and trained  
1.16 workforce as required by subdivision 2, clause (a).

1.17 (d) Each shift on which a violation of this section occurs shall be considered a separate  
1.18 violation. This penalty is in addition to any penalties provided under section 177.27,  
1.19 subdivision 7. In determining the amount of a civil penalty under this subdivision, the  
1.20 appropriateness of the penalty to the size of the violator's business and the gravity of the  
1.21 violation shall be considered."

1.22 Page 3, delete subdivision 4