

1.1 Senator ..... moves to amend S.F. No. 3204 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2022, section 43A.316, subdivision 5, is amended to read:

1.4 Subd. 5. **Public employee participation.** (a) Participation in the program is subject to  
1.5 the conditions in this subdivision.

1.6 (b) Each exclusive representative for an eligible employer determines whether the  
1.7 employees it represents will participate in the program. The exclusive representative shall  
1.8 give the employer notice of intent to participate at least 30 days before the expiration date  
1.9 of the collective bargaining agreement preceding the collective bargaining agreement that  
1.10 covers the date of entry into the program. The exclusive representative and the eligible  
1.11 employer shall give notice to the commissioner of the determination to participate in the  
1.12 program at least 30 days before entry into the program. Entry into the program is governed  
1.13 by a schedule established by the commissioner.

1.14 (c) Employees not represented by exclusive representatives may become members of  
1.15 the program upon a determination of an eligible employer to include these employees in  
1.16 the program. Either all or none of the employer's unrepresented employees must participate.  
1.17 The eligible employer shall give at least 30 days' notice to the commissioner before entering  
1.18 the program. Entry into the program is governed by a schedule established by the  
1.19 commissioner.

1.20 (d) Participation in the program is for a ~~two-year~~ four-year term. Participation is  
1.21 automatically renewed for an additional ~~two-year~~ four-year term unless the exclusive  
1.22 representative, or the employer for unrepresented employees, gives the commissioner notice  
1.23 of withdrawal at least 30 days before expiration of the participation period. A group that  
1.24 withdraws must wait two years before rejoining. An exclusive representative, or employer  
1.25 for unrepresented employees, may also withdraw if premiums increase ~~50~~ 20 percent or  
1.26 more from one insurance year to the next.

1.27 (e) The exclusive representative shall give the employer notice of intent to withdraw to  
1.28 the commissioner at least 30 days before the expiration date of a collective bargaining  
1.29 agreement that includes the date on which the term of participation expires.

1.30 (f) Each participating eligible employer shall notify the commissioner of names of  
1.31 individuals who will be participating within two weeks of the commissioner receiving notice  
1.32 of the parties' intent to participate. The employer shall also submit other information as  
1.33 required by the commissioner for administration of the program.

- 2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment."
- 2.2 Amend the title accordingly