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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4531

- 03/26/2020 Authored by Winkler, Hortman, Daudt and Lillie
The bill was read for the first time
R/S Rules Suspended, urgency declared
Read for the Second Time
Read for the Third Time
Passed by the House and transmitted to the Senate
Passed by the Senate and returned to the House
- 03/28/2020 Presented to Governor
Governor Approval

1.1 A bill for an act

1.2 relating to state government; providing COVID-19 response efforts; establishing

1.3 a COVID-19 Minnesota fund; modifying certain authorities; providing exemptions

1.4 and extensions; modifying certain fees; eliminating refill timelines for opiate or

1.5 narcotic pain relievers; extending due date for filing property tax appeals; modifying

1.6 loan programs; providing for unemployment insurance for certain employees

1.7 affected by COVID-19; requiring reports; appropriating money for COVID-19

1.8 response efforts; amending Minnesota Statutes 2018, sections 116J.881; 116M.18,

1.9 by adding a subdivision; 171.0605, subdivision 5; 241.75, subdivision 2; 609.105,

1.10 subdivision 2; Minnesota Statutes 2019 Supplement, sections 41B.047, subdivisions

1.11 1, 3; 151.065, subdivisions 1, 3, 7; 152.11, subdivision 1.

1.12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.13 **ARTICLE 1**

1.14 **COVID-19 RESPONSE APPROPRIATIONS**

1.15 Section 1. **DRIVER AND VEHICLE SERVICES TEMPORARY STAFFING;**

1.16 **APPROPRIATION.**

1.17 (a) \$2,400,000 in fiscal year 2020 is appropriated from the vehicle services operating

1.18 account in the special revenue fund to the commissioner of public safety to hire temporary

1.19 or contract employees to process and issue drivers' licenses and Minnesota identification

1.20 cards. This appropriation may be used to purchase or lease equipment and space for

1.21 temporary or contract employees. This appropriation must not be spent for permanent state

1.22 employees.

1.23 (b) The commissioner must only use the amount of temporary staff necessary to achieve

1.24 an average turnaround time of 45 days to issue drivers' licenses and Minnesota identification

1.25 cards. Once the commissioner achieves an average turnaround time of 45 days, the

2.1 commissioner must reduce the number of temporary staff to the number necessary to maintain
2.2 an average turnaround time of 45 days.

2.3 (c) This appropriation is for work performed or expenses incurred on or before December
2.4 31, 2020. This is a onetime appropriation and is available until January 31, 2021. Any funds
2.5 in this appropriation that remain unspent after January 31, 2021, are canceled to the vehicle
2.6 services operating account under Minnesota Statutes, section 299A.705.

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

2.8 **Sec. 2. PEACETIME EMERGENCY CHILD CARE GRANTS.**

2.9 Subdivision 1. **Peacetime emergency child care grants.** (a) The commissioner of human
2.10 services may distribute funds to the organization designated to administer a child care
2.11 resource and referral program under Minnesota Statutes, section 119B.19, subdivision 1a
2.12 (known as Child Care Aware), for Child Care Aware to administer emergency grants to
2.13 eligible programs under subdivision 2, beginning April 1, 2020.

2.14 (b) Child Care Aware shall develop the grant application, receive and review grant
2.15 applications, and determine the number and amount of grants to issue, in accordance with
2.16 subdivisions 3 and 5. Child Care Aware shall establish priorities for the issuance of grants
2.17 by assessing the local need for child care services during the peacetime emergency, the
2.18 child care provider's access to additional funding sources other than grants under this section,
2.19 and whether the child care provider would be financially at risk without a grant under this
2.20 section. To the extent practicable, Child Care Aware shall award grants in a manner that
2.21 achieves regional balance and equitable distribution of the grant funds throughout the state
2.22 and among provider types.

2.23 Subd. 2. **Eligible programs.** (a) Programs eligible to apply for grants under this section
2.24 include:

2.25 (1) family and group family day care homes licensed under Minnesota Rules, chapter
2.26 9502;

2.27 (2) child care centers licensed under Minnesota Rules, chapter 9503;

2.28 (3) tribally licensed child care programs; and

2.29 (4) other program types as determined by the commissioner.

2.30 (b) Programs listed in clauses (1) and (2) must have a license in good standing and may
2.31 not be the subject of a finding of fraud or be prohibited from receiving public funds under

3.1 Minnesota Statutes, section 245.095, or operating on a conditional license, under revocation,
3.2 or under temporary immediate suspension.

3.3 Subd. 3. **Requirements to receive grants.** To receive a grant under this section, an
3.4 eligible program must attest and agree in writing to:

3.5 (1) prioritize spaces in their program for children of essential workers, as identified in
3.6 state guidance;

3.7 (2) maintain service for the period of the grant or until the peacetime public health
3.8 emergency ends, whichever is first, except during any periods of temporary discontinuation
3.9 of service in response to public health guidance to protect the safety and health of children
3.10 and child care providers; and

3.11 (3) use health and safety practices that prevent the spread of COVID-19 in a child care
3.12 environment based on guidance provided under subdivision 4.

3.13 Subd. 4. **Health and safety guidance for child care providers.** In consultation with
3.14 the commissioner of health, the commissioner must provide ongoing guidance for child
3.15 care providers on health and safety practices that prevent the spread of COVID-19 in a child
3.16 care environment. The guidance and any updates must be posted on the Department of
3.17 Human Services website and made available to child care providers in other formats.

3.18 Subd. 5. **Grant awards.** (a) An eligible program may receive a monthly grant award of
3.19 \$4,500.

3.20 (b) An eligible program may receive an additional monthly grant of \$1,000 if the program
3.21 serves children:

3.22 (1) during nonstandard hours, including overnight and on weekends;

3.23 (2) whose first language is not English; or

3.24 (3) who have special needs.

3.25 (c) An eligible program that is licensed to serve 15 or more children may receive an
3.26 additional monthly grant not to exceed \$15,500. The additional grant amount must be based
3.27 on a provider's capacity to serve children during the declared peacetime public health
3.28 emergency.

3.29 Subd. 6. **Fees charged.** A program that receives a grant under this section may charge
3.30 fees to families attending the program and may not require fees from families whose children
3.31 were attending prior to the declared peacetime public health emergency but are no longer
3.32 attending.

4.1 Subd. 7. **Spaces reserved.** A program that receives a grant under this section must:

4.2 (1) allow children attending the program prior to the declared peacetime public health
4.3 emergency to re-enroll after the peacetime public health emergency ends, provided that: (i)
4.4 the program has capacity available; and (ii) the families of the children have not violated
4.5 the terms of the contract with the program, other than terms related to the payment of fees
4.6 and any required notification for disenrollment; and

4.7 (2) serve children who are not children of essential workers during the peacetime public
4.8 health emergency, provided the program has the capacity to do so in compliance with the
4.9 commissioner's health and safety guidance.

4.10 Subd. 8. **Expiration.** The authority to award grants under this section expires the day
4.11 after the peacetime public health emergency ends.

4.12 Subd. 9. **Appropriation.** (a) \$29,964,000 in fiscal year 2020 is appropriated from the
4.13 general fund to the commissioner of human services for grants under this section. Of this
4.14 amount, up to \$450,000 is for Child Care Aware to administer the grants in accordance with
4.15 subdivision 1.

4.16 (b) This is a onetime appropriation and is available until December 31, 2020.

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

4.18 Sec. 3. **MILITARY VETERANS COVID-19 RESPONSE ASSISTANCE.**

4.19 (a) \$6,200,000 in fiscal year 2020 is appropriated from the general fund to the
4.20 commissioner of veterans affairs. The commissioner of veterans affairs must use the amount
4.21 appropriated under this section to provide financial assistance to any veteran or a surviving
4.22 spouse of a veteran in need of assistance as a result of COVID-19. The COVID-19-related
4.23 assistance authorized under this section may be used for emergency financial relief,
4.24 hospitalization assistance, medical care or treatment, or any other COVID-19-related
4.25 assistance as determined by the commissioner.

4.26 (b) For purposes of this section, "veteran" means an individual who qualifies as a veteran
4.27 under Minnesota Statutes, section 197.447, and who meets the residency requirements in
4.28 Minnesota Statutes, section 197.05, paragraph (b).

4.29 (c) An individual's eligibility or level of assistance under this section shall not be limited
4.30 because the individual has previously received assistance under the State Soldiers' Assistance
4.31 Fund program.

4.32 (d) The amount appropriated under this section is available until June 30, 2021.

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

5.2 Sec. 4. **APPROPRIATION; FOOD SHELF PROGRAMS.**

5.3 (a) \$9,000,000 in fiscal year 2020 is appropriated from the general fund to the
5.4 commissioner of human services for food shelf programs under Minnesota Statutes, section
5.5 256E.34, to address food bank, food shelf, and transportation needs in responding to the
5.6 COVID-19 pandemic. Hunger Solutions shall allocate funds to food banks, food shelves,
5.7 and transportation organizations in accordance with this section and report to the
5.8 commissioner regarding distribution and use of funds. Grant funds shall be used as follows:

5.9 (1) to support regional food banks to enable specialized responses to community needs;

5.10 (2) to allow food shelves to purchase food, diapers, toilet paper, and other necessary
5.11 supplies and to enable specialized responses to community needs; and

5.12 (3) to support a network of transportation organizations to assist in the distribution of
5.13 food and supplies from food banks and food shelves to persons affected by the COVID-19
5.14 pandemic.

5.15 (b) At least \$3,000,000 of this appropriation must be used for activities described in
5.16 paragraph (a), clause (1).

5.17 (c) This is a onetime appropriation and is available until June 30, 2021.

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

5.19 Sec. 5. **APPROPRIATION; HOUSING SUPPORT.**

5.20 (a) \$5,530,000 in fiscal year 2020 is appropriated from the general fund to the
5.21 commissioner of human services to increase room and board limits and rates and
5.22 supplementary service limits and rates under Minnesota Statutes, section 256I.05,
5.23 subdivisions 1 and 1a, by 15 percent for three consecutive months for purposes of maintaining
5.24 access to room and board from March 1, 2020, through May 31, 2020, including activities
5.25 necessary to comply with federal and state health and safety guidance, in response to the
5.26 COVID-19 pandemic. This is a onetime appropriation.

5.27 (b) Prior to October 1, 2020, providers must submit documentation demonstrating
5.28 increased funding was used for needs related to COVID-19 for the time period from March
5.29 1, 2020, through May 31, 2020.

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

6.1 Sec. 6. **APPROPRIATION; EMERGENCY SERVICES GRANTS.**

6.2 (a) \$26,537,000 in fiscal year 2020 is appropriated from the general fund to the
6.3 commissioner of human services for emergency services grants under Minnesota Statutes,
6.4 section 256E.36. Of this amount:

6.5 (1) \$15,206,000 is for providing additional shelter space; for purchasing vouchers for
6.6 the cost of a motel or hotel room; or for funding other housing options, in order to provide
6.7 housing that promotes health and safety, or to isolate homeless individuals exposed to
6.8 COVID-19 or who are experiencing respiratory illness. Vouchers for the cost of a motel or
6.9 hotel room may not be issued to motels or hotels that receive funding from another source
6.10 for the cost of the same motel or hotel room for the same date;

6.11 (2) \$5,000,000 is for purchasing hygiene, sanitation, and cleaning supplies to support
6.12 compliance with Centers for Disease Control and Prevention guidance on sanitation and
6.13 personal protective equipment; and

6.14 (3) \$6,331,000 is for hiring staff necessary to protect the health and wellness of program
6.15 recipients, for increasing the number of persons served, or for providing staffing when
6.16 workers are quarantined or cannot work because they are caring for someone with COVID-19.

6.17 (b) The commissioner may transfer funds among the activities in paragraph (a), clauses
6.18 (1) to (3), as the commissioner determines necessary. The commissioner must report to the
6.19 chairs and ranking minority members of the legislative committees with jurisdiction over
6.20 human services on any transfer of funds among the activities in paragraph (a), clauses (1)
6.21 to (3), and whether grant applicants are requesting funds for activities other than those listed
6.22 in paragraph (a), clauses (1) to (3).

6.23 (c) Notwithstanding any other law or rule to the contrary, the commissioner may allocate
6.24 funds to programs, providers, and organizations providing or seeking to provide services
6.25 to individuals experiencing homelessness through a single fiscal agent chosen by the
6.26 commissioner.

6.27 (d) Grant applicants must describe how they intend to use grant funds for the purposes
6.28 listed in paragraph (a), clauses (1) to (3). Grant funds may be used by grant recipients for
6.29 the activities listed in paragraph (a), clauses (1) to (3).

6.30 (e) If a grant recipient receives funds from a nonstate source, other than a local unit of
6.31 government or a tribe, for activities listed in paragraph (a), clauses (1) to (3), the grant
6.32 recipient must notify the commissioner of the amount received from the nonstate source.
6.33 If the commissioner determines that the total amount the grant recipient received under this

7.1 section and from the nonstate source exceeds the grant recipient's costs for the activities in
 7.2 paragraph (a), clauses (1) to (3), the grant recipient must pay the commissioner the amount
 7.3 that exceeds the costs, up to the amount of funding provided under this section. All money
 7.4 paid to the commissioner under this section must be deposited in the general fund.

7.5 (f) This is a onetime appropriation and is available until February 1, 2021, or until 60
 7.6 days after expiration of the peacetime emergency declared by the governor in an executive
 7.7 order that relates to the infectious disease known as COVID-19, whichever occurs earlier.
 7.8 Any unobligated or unexpended amounts cancel on February 1, 2021, or 60 days after
 7.9 expiration of the peacetime emergency declared by the governor in an executive order that
 7.10 relates to the infectious disease known as COVID-19, whichever occurs earlier.

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

7.12 Sec. 7. **COVID-19 MINNESOTA FUND.**

7.13 Subdivision 1. **Fund created.** The COVID-19 Minnesota fund is created in the state
 7.14 treasury to pay expenditures related to a peacetime emergency declared by the governor in
 7.15 an executive order that relates to the infectious disease known as COVID-19. Money in the
 7.16 fund is appropriated to the commissioner of management and budget and may be disbursed
 7.17 or transferred to state agencies as necessary to (1) protect Minnesota citizens from the
 7.18 COVID-19 outbreak, and (2) maintain state government operations throughout the duration
 7.19 of the peacetime emergency. Any money in the fund that remains unobligated on May 11,
 7.20 2020, cancels to the general fund.

7.21 Subd. 2. **Legislative COVID-19 Response Commission review.** (a) A Legislative
 7.22 COVID-19 Response Commission is established to review expenditures from the COVID-19
 7.23 Minnesota fund. The majority leader of the senate, the minority leader of the senate, the
 7.24 president of the senate, the chair of the senate Finance Committee, the ranking minority
 7.25 member of the senate Finance Committee, the speaker of the house, the minority leader of
 7.26 the house of representatives, the majority leader of the house of representatives, the chair
 7.27 of the house of representatives Ways and Means Committee, and the ranking minority
 7.28 member of the house of representatives Ways and Means Committee, or their designee, are
 7.29 members of the commission.

7.30 (b) For fiscal year 2020 and fiscal year 2021, the commissioner of management and
 7.31 budget must submit proposed single expenditures from the COVID-19 Minnesota fund that
 7.32 exceed \$1,000,000 to the Legislative COVID-19 Response Commission for its review and
 7.33 recommendations. The submission must include the total amount of the proposed expenditure,
 7.34 the purpose of the proposed expenditure, the time period of the proposed expenditure, and

8.1 any additional information the commissioner of management and budget determines
8.2 necessary to properly document the proposed expenditure. Upon receiving a submission,
8.3 the commission has 24 hours after the request is submitted to review the proposed
8.4 expenditures submitted under this subdivision.

8.5 (c) Commission members may make a positive recommendation, a negative
8.6 recommendation, or no recommendation on a proposed expenditure. If a majority of the
8.7 commission members from the senate and a majority of the commission members from the
8.8 house of representatives make a negative recommendation on a proposed expenditure, the
8.9 commissioner is prohibited from expending the money. If a majority of the commission
8.10 members from the senate and a majority of the commission members from the house of
8.11 representatives do not make a negative recommendation, or if the commission makes no
8.12 recommendation, the commissioner may expend the money.

8.13 (d) The commission may hold a public meeting to approve or disapprove a proposed
8.14 expenditure from the COVID-19 Minnesota fund. Notwithstanding Minnesota Statutes,
8.15 section 3.055, the commission may conduct a public meeting remotely. The commission
8.16 may approve or disapprove proposed expenditures without a public meeting. The commission
8.17 members may approve or disapprove proposed expenditures via written communication
8.18 sent to the commissioner of management and budget.

8.19 Subd. 3. **Biweekly expenditure report.** The commissioner of management and budget
8.20 must provide reports on the spending from the COVID-19 Minnesota fund to the Legislative
8.21 COVID-19 Response Commission on the 15th and last day of each month. The report must
8.22 include the total amount of each expenditure, the purpose of each expenditure, and any
8.23 additional information the commissioner of management and budget determines is necessary
8.24 to properly document each expenditure.

8.25 **EFFECTIVE DATE.** This section is effective the day following final enactment and
8.26 expires May 11, 2020.

8.27 Sec. 8. **FINAL REPORT.**

8.28 The commissioner of management and budget must report all expenditures made under
8.29 section 7 from the COVID-19 Minnesota fund to the chairs and ranking minority members
8.30 of the senate Finance Committee and the house of representatives Ways and Means
8.31 Committee by July 15, 2021.

8.32 **EFFECTIVE DATE.** This section is effective the day following final enactment and
8.33 expires July 16, 2021.

9.1 Sec. 9. **TRANSFER.**

9.2 \$200,000,000 in fiscal year 2020 is transferred from the general fund to the COVID-19
9.3 Minnesota fund under section 7. This is a onetime transfer.

9.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
9.5 expires May 11, 2020.

9.6 Sec. 10. **TRIBAL NATIONS GRANTS.**

9.7 (a) \$11,000,000 in fiscal year 2020 is appropriated from the general fund to the
9.8 commissioner of revenue for grants to fund emergency response activities in response to
9.9 the infectious disease known as COVID-19. The commissioner of revenue may provide
9.10 grants under this section of up to \$1,000,000 to the governing body of the:

9.11 (1) Fond du Lac Band;

9.12 (2) Grand Portage Band;

9.13 (3) Mille Lacs Band;

9.14 (4) White Earth Band;

9.15 (5) Bois Fort Nett Lake Band;

9.16 (6) Leech Lake Band;

9.17 (7) Red Lake Nation;

9.18 (8) Upper Sioux Community;

9.19 (9) Lower Sioux Community;

9.20 (10) Shakopee-Mdewakanton Sioux Community; and

9.21 (11) Prairie Island Mdewakanton Dakota Community.

9.22 (b) Each tribal nation must use the grant received under paragraph (a) for activities that
9.23 mitigate the immediate health and economic impacts of COVID-19. These activities include
9.24 but are not limited to (1) reimbursable activities under the Robert T. Stafford Disaster Relief
9.25 and Emergency Assistance Act, as amended, and (2) securing basic needs, including but
9.26 not limited to food and shelter, for tribal members.

9.27 (c) To receive a grant a tribe must apply to the commissioner of revenue by April 1,
9.28 2020. The grant application must state the amount of the request up to a maximum of
9.29 \$1,000,000. As part of the application the tribe must agree to spend the grant money for
9.30 activities that mitigate the immediate health and economic impacts of COVID-19.

10.1 (d) Any portion of the \$11,000,000 appropriated under this section that is not applied
 10.2 for by April 1, 2020, must be paid in equal share to all tribes that have timely applied for a
 10.3 grant.

10.4 (e) The commissioner of revenue must distribute the grant payments on or before April
 10.5 8, 2020.

10.6 (f) By April 14, 2020, a recipient of a grant under this section must provide a report to
 10.7 the commissioner of revenue in the form prescribed by the commissioner of revenue. The
 10.8 commissioner of revenue must compile and provide the reports to the chairs and ranking
 10.9 minority members of the legislative committees with jurisdiction over taxes.

10.10 (g) The appropriation under this section is onetime.

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

10.12 **Sec. 11. TRANSFERS; SMALL BUSINESS EMERGENCY LOAN PROGRAM.**

10.13 Notwithstanding Minnesota Statutes, sections 116J.423 and 116J.8731, in fiscal year
 10.14 2020, the following amounts are transferred to the small business emergency loan account
 10.15 in the special revenue fund under Minnesota Statutes, section 116M.18, subdivision 9:

10.16 (1) \$20,000,000 from the special revenue fund account of the Minnesota 21st century
 10.17 fund under Minnesota Statutes, section 116J.423, subdivision 1; and

10.18 (2) \$10,000,000 from the Minnesota investment revolving loan account under Minnesota
 10.19 Statutes, section 116J.8731, subdivision 5, in the special revenue fund.

10.20 Transferred amounts are appropriated to the commissioner of employment and economic
 10.21 development to make loans as set forth in Governor's Executive Order 20-15, Providing
 10.22 Immediate Relief to Small Businesses During the COVID-19 Peacetime Emergency. All
 10.23 loan repayments are credited proportionately to the accounts from which the loan amounts
 10.24 were originally transferred. Any amounts remaining in the small business emergency loan
 10.25 account that are unexpended and unobligated at the close of the fiscal year cancel
 10.26 proportionately to the accounts from which the amounts were originally transferred.

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

10.28 **Sec. 12. APPROPRIATION; SMALL BUSINESS LOAN GUARANTEE PROGRAM.**

10.29 \$10,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner
 10.30 of employment and economic development for the small business loan guarantee program

11.1 under Minnesota Statutes, section 116J.881. This is a onetime appropriation and is available
 11.2 until December 31, 2021.

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

11.4 **ARTICLE 2**

11.5 **COVID-19 RESPONSE PROVISIONS**

11.6 Section 1. Minnesota Statutes 2019 Supplement, section 41B.047, subdivision 1, is amended
 11.7 to read:

11.8 Subdivision 1. **Establishment.** The authority shall establish and implement a disaster
 11.9 recovery loan program to help farmers:

11.10 (1) clean up, repair, or replace farm structures and septic and water systems, as well as
 11.11 replace seed, other crop inputs, feed, and livestock, ~~when damaged by high winds, hail,~~
 11.12 ~~tornado, or flood, or the weight of snow, sleet, or ice;~~

11.13 (2) purchase watering systems, irrigation systems, and other drought mitigation systems
 11.14 and practices when drought is the cause of the purchase;

11.15 (3) restore farmland; ~~or~~

11.16 (4) replace flocks or livestock, make building improvements, or cover the loss of revenue
 11.17 when the replacement, improvements, or loss of revenue is due to the confirmed presence
 11.18 of ~~the~~ a highly pathogenic avian influenza contagious animal disease in a commercial poultry
 11.19 or game flock, or a commercial livestock operation, located in Minnesota; or

11.20 (5) cover the loss of revenue when the revenue loss is due to an infectious human disease
 11.21 for which the governor has declared a peacetime emergency under section 12.31.

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

11.23 Sec. 2. Minnesota Statutes 2019 Supplement, section 41B.047, subdivision 3, is amended
 11.24 to read:

11.25 Subd. 3. **Eligibility.** To be eligible for this program, a borrower must:

11.26 (1) meet the requirements of section 41B.03, subdivision 1;

11.27 (2) certify that the damage or loss was (i) sustained within a county that was the subject
 11.28 of a state or federal disaster declaration; (ii) due to the confirmed presence of ~~the~~ a highly
 11.29 ~~pathogenic avian influenza in a commercial poultry or game flock located~~ contagious animal
 11.30 disease in Minnesota; ~~or~~ (iii) due to an infectious human disease for which the governor

12.1 has declared a peacetime emergency; or (iv) due to an emergency as determined by the
 12.2 authority;

12.3 (3) demonstrate an ability to repay the loan; and

12.4 (4) have received at least 50 percent of average annual gross income from farming for
 12.5 the past three years.

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

12.7 Sec. 3. Minnesota Statutes 2018, section 116J.881, is amended to read:

12.8 **116J.881 SMALL BUSINESS LOAN GUARANTEE PROGRAM.**

12.9 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
 12.10 the meanings given.

12.11 (b) "Borrower" means a small business receiving an eligible loan under this section.

12.12 (c) "Commissioner" means the commissioner of employment and economic development.

12.13 (d) "Eligible loan" means a loan to a small business to be used for business purposes
 12.14 exclusively in Minnesota, including: ~~construction; remodeling or renovation; leasehold~~
 12.15 ~~improvements; the purchase of land and buildings; business acquisitions, including employee~~
 12.16 ~~stock ownership plan financing;~~ machinery or equipment purchases, maintenance, or repair;
 12.17 expenses related to moving into or within Minnesota; and working capital when the working
 12.18 capital is secured by fixed assets when possible.

12.19 (e) "Loan guarantee" means a guarantee of ~~70~~ 80 percent of the loan amount provided
 12.20 by a QED lender. The guaranteed portion of the loan must not exceed ~~\$1,500,000~~ \$200,000
 12.21 and may be subordinate to other loans made by lenders in the overall financing package.

12.22 (f) "Loan guarantee trust fund" means a dedicated fund established under this section
 12.23 for the purpose of compensation for defaulted loan guarantees and for program
 12.24 administration.

12.25 (g) ~~"Loan purchaser" means an institutional investor that purchases, holds, and services~~
 12.26 ~~small business loans on a nonrecourse basis from QED lenders participating in the small~~
 12.27 ~~business loan guarantee program.~~ "Peacetime public health emergency" means any peacetime
 12.28 emergency declared by the governor in an executive order that is related to the infectious
 12.29 disease known as COVID-19.

12.30 (h) "Qualified economic development lender" or "QED lender" means a bank, or other
 12.31 commercial lender, a public entity, or a private nonprofit economic development organization

13.1 ~~whose headquarters is located in Minnesota~~ with not less than three years of active lending
 13.2 experience that provides financing to small businesses ~~in partnership with banks and other~~
 13.3 ~~commercial lenders, and that originates subordinated loans to small businesses for sale to~~
 13.4 ~~the secondary market.~~

13.5 ~~(i) "Secondary market" means the market in which loans are sold to investors, either~~
 13.6 ~~directly or through an intermediary.~~

13.7 ~~(i)~~ (i) "Small business" means a business employing no more than 500 the equivalent
 13.8 of 250 full-time persons in Minnesota.

13.9 ~~(j)~~ (j) "Subordinated loan" means a loan secured by a lien that is lower in priority than
 13.10 one or more specified other liens.

13.11 Subd. 2. **Loan guarantee program.** A small business loan guarantee program to support
 13.12 the origination ~~and sale of eligible subordinated loans to the secondary market by providing~~
 13.13 ~~a credit enhancement in the form of a partial guarantee~~ of small business loans that are
 13.14 expected to be made to Minnesota businesses by a QED lender, within the 12 months after
 13.15 a declaration of a peacetime public health emergency and not otherwise financially supported
 13.16 by a public entity, is created in the Department of Employment and Economic Development.
 13.17 ~~A loan guarantee shall be provided for eligible loans under this section only when a bank~~
 13.18 ~~or other commercial lender provides at least 50 percent of the total amount loaned to the~~
 13.19 ~~small business.~~ The loan guarantee shall apply only to the portion of the loan that was made
 13.20 by the QED lender.

13.21 Subd. 3. **Required provisions.** Loan guarantees under this section for loans ~~to be sold~~
 13.22 ~~on the secondary market~~ by QED lenders shall provide that:

13.23 (1) principal and interest payments made by the borrower under the terms of the loan
 13.24 are ~~applied by the loan purchaser~~ to reduce the guaranteed and nonguaranteed portion of
 13.25 the loan on a proportionate basis. The nonguaranteed portion shall not receive preferential
 13.26 treatment over the guaranteed portion;

13.27 (2) the ~~loan purchaser~~ QED lender shall not accelerate repayment of the loan or exercise
 13.28 other remedies if the borrower defaults, unless:

13.29 (i) the borrower fails to make a required payment of principal or interest within 60 days
 13.30 of the due date;

13.31 (ii) the commissioner consents in writing; or

13.32 (iii) the loan guarantee agreement provides for accelerated repayment or other remedies.

14.1 In the event of a default, the ~~loan purchaser~~ QED lender may not make a demand for
 14.2 payment pursuant to the guarantee unless the commissioner agrees in writing that the default
 14.3 has materially affected the rights or security of the parties, ~~and finds that the loan purchaser~~
 14.4 ~~is entitled to receive payment pursuant to the loan guarantee;~~

14.5 ~~(3) there is a written commitment from one or more secondary market investors to~~
 14.6 ~~purchase the loan, subject to the provision of a state loan guarantee;~~

14.7 ~~(4)~~ (3) the QED lender has timely prepared and delivered to the commissioner, annually
 14.8 by the date specified in the loan guarantee, an audited or reviewed financial statement for
 14.9 the loan, prepared by a certified public accountant according to generally accepted accounting
 14.10 principles, if available, and documentation that the borrower used the loan proceeds solely
 14.11 for purposes of its Minnesota operations;

14.12 ~~(5)~~ (4) the commissioner has access to the ~~original~~ loan documents prior to approval of
 14.13 the state credit enhancement ~~to facilitate the sale of the loan to the secondary market;~~

14.14 ~~(6)~~ (5) the QED lender maintains adequate records and documents concerning the ~~original~~
 14.15 loan so that the commissioner may determine the borrower's financial condition and
 14.16 compliance with program requirements; and

14.17 ~~(7)~~ (6) orderly liquidation of collateral securing the ~~original~~ loan is provided for in the
 14.18 event of default, with an option on the part of the commissioner to acquire the ~~loan~~
 14.19 ~~purchaser's~~ QED lender's interest in the assets pursuant to the loan guarantee.

14.20 Subd. 4. **Loan guarantee trust fund established.** A loan guarantee trust fund account
 14.21 in the special revenue fund is created in the state treasury to pay for defaulted loan guarantees.
 14.22 The commissioner shall administer this fund and provide annual reports concerning the
 14.23 performance of the fund to the chairs of the standing committees of the house of
 14.24 representatives and senate having jurisdiction over economic development issues.

14.25 Subd. 5. **Limitation.** At no time shall total outstanding loan guarantees ~~for loans sold~~
 14.26 ~~to the secondary market~~ exceed five times the amount on deposit in the loan guarantee trust
 14.27 fund.

14.28 Subd. 6. **Guarantee fee.** Participating QED lenders shall pay a fee to the fund of 0.25
 14.29 percent of the principal amount of each guaranteed loan upon approval of each loan
 14.30 guarantee. The guarantee fee, along with any interest earnings from the trust fund, shall be
 14.31 used only for the administration of the small business loan guarantee program and as
 14.32 additional loan loss reserves.

15.1 Subd. 7. **Loan guarantee application.** The commissioner shall prepare a form for QED
 15.2 lenders to use in applying for loan guarantees under this section. The form shall include the
 15.3 following information:

15.4 (1) the name and contact information for the QED lender, including the name and title
 15.5 of a contact person;

15.6 (2) the names of the financial institutions, including the names and titles of contact
 15.7 persons, that are participating in the total financing being provided to the small business
 15.8 borrower, along with the dollar amount of the loan provided by the financial institution;

15.9 (3) the percentage and dollar amount of the subordinated debt loan provided to the
 15.10 Minnesota small business by the QED lender; ~~and~~

15.11 (4) the loan guarantee amount that is requested from the program; and

15.12 (5) other information as requested by the commissioner.

15.13 Subd. 8. **Notice and application process.** Subject to the availability of funds under
 15.14 subdivision 4, the commissioner shall publish a notice regarding the opportunity for QED
 15.15 lenders to originate loans ~~for which the loan guarantee may be secured as the loans are~~
 15.16 ~~prepared for sale to the secondary market.~~ The commissioner shall decide whether to provide
 15.17 a loan guarantee for each loan based on:

15.18 (1) the completeness of the loan guarantee application;

15.19 (2) the availability of funds in the loan guarantee trust fund; and

15.20 (3) execution of agreements that satisfy requirements established in subdivision 3.

15.21 Subd. 9. **Reporting.** By December 31, 2020, the commissioner shall report to the
 15.22 legislative committees with jurisdiction over economic development policy and finance on
 15.23 the loan guarantees provided under this section.

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

15.25 Sec. 4. Minnesota Statutes 2018, section 116M.18, is amended by adding a subdivision
 15.26 to read:

15.27 **Subd. 9. Small business emergency loan account.** The small business emergency loan
 15.28 account is created as an account in the special revenue fund.

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

16.1 Sec. 5. Minnesota Statutes 2019 Supplement, section 151.065, subdivision 1, is amended
16.2 to read:

16.3 Subdivision 1. **Application fees.** Application fees for licensure and registration are as
16.4 follows:

16.5 (1) pharmacist licensed by examination, \$175;

16.6 (2) pharmacist licensed by reciprocity, \$275;

16.7 (3) pharmacy intern, \$50;

16.8 (4) pharmacy technician, \$50;

16.9 (5) pharmacy, \$260;

16.10 (6) drug wholesaler, legend drugs only, \$5,260;

16.11 (7) drug wholesaler, legend and nonlegend drugs, \$5,260;

16.12 (8) drug wholesaler, nonlegend drugs, veterinary legend drugs, or both, \$5,260;

16.13 (9) drug wholesaler, medical gases, \$5,260 for the first facility and \$260 for each
16.14 additional facility;

16.15 (10) third-party logistics provider, \$260;

16.16 (11) drug manufacturer, nonopiate legend drugs only, \$5,260;

16.17 (12) drug manufacturer, nonopiate legend and nonlegend drugs, \$5,260;

16.18 (13) drug manufacturer, nonlegend or veterinary legend drugs, \$5,260;

16.19 (14) drug manufacturer, medical gases, \$5,260 for the first facility and \$260 for each
16.20 additional facility;

16.21 (15) drug manufacturer, also licensed as a pharmacy in Minnesota, \$5,260;

16.22 (16) drug manufacturer of opiate-containing controlled substances listed in section
16.23 152.02, subdivisions 3 to 5, \$55,000;

16.24 (17) medical gas distributor, ~~\$5,260~~ \$260;

16.25 (18) controlled substance researcher, \$75; and

16.26 (19) pharmacy professional corporation, \$150.

16.27 **EFFECTIVE DATE.** This section is effective June 1, 2020, and applies to any license
16.28 issued on or after that date.

17.1 Sec. 6. Minnesota Statutes 2019 Supplement, section 151.065, subdivision 3, is amended
17.2 to read:

17.3 Subd. 3. **Annual renewal fees.** Annual licensure and registration renewal fees are as
17.4 follows:

17.5 (1) pharmacist, \$175;

17.6 (2) pharmacy technician, \$50;

17.7 (3) pharmacy, \$260;

17.8 (4) drug wholesaler, legend drugs only, \$5,260;

17.9 (5) drug wholesaler, legend and nonlegend drugs, \$5,260;

17.10 (6) drug wholesaler, nonlegend drugs, veterinary legend drugs, or both, \$5,260;

17.11 (7) drug wholesaler, medical gases, \$5,260 for the first facility and \$260 for each
17.12 additional facility;

17.13 (8) third-party logistics provider, \$260;

17.14 (9) drug manufacturer, nonopiate legend drugs only, \$5,260;

17.15 (10) drug manufacturer, nonopiate legend and nonlegend drugs, \$5,260;

17.16 (11) drug manufacturer, nonlegend, veterinary legend drugs, or both, \$5,260;

17.17 (12) drug manufacturer, medical gases, \$5,260 for the first facility and \$260 for each
17.18 additional facility;

17.19 (13) drug manufacturer, also licensed as a pharmacy in Minnesota, \$5,260;

17.20 (14) drug manufacturer of opiate-containing controlled substances listed in section
17.21 152.02, subdivisions 3 to 5, \$55,000;

17.22 (15) medical gas distributor, ~~\$5,260~~ \$260;

17.23 (16) controlled substance researcher, \$75; and

17.24 (17) pharmacy professional corporation, \$100.

17.25 **EFFECTIVE DATE.** This section is effective June 1, 2020, and applies to any license
17.26 renewed on or after that date.

18.1 Sec. 7. Minnesota Statutes 2019 Supplement, section 151.065, subdivision 7, is amended
18.2 to read:

18.3 Subd. 7. **Deposit of fees.** (a) The license fees collected under this section, with the
18.4 exception of the fees identified in paragraphs (b) and (c), shall be deposited in the state
18.5 government special revenue fund.

18.6 (b) \$5,000 of each fee collected under subdivision 1, clauses (6) to (9), and (11) to (15)
18.7 ~~and (17)~~, and subdivision 3, clauses (4) to (7), and (9) to (13) and (15), and the fees collected
18.8 under subdivision 1, clause (16), and subdivision 3, clause (14), shall be deposited in the
18.9 opiate epidemic response account established in section 256.043.

18.10 (c) If the fees collected under subdivision 1, clause (16), or subdivision 3, clause (14),
18.11 are reduced, \$5,000 of the reduced fee shall be deposited in the opiate epidemic response
18.12 account in section 256.043.

18.13 **EFFECTIVE DATE.** This section is effective June 1, 2020.

18.14 Sec. 8. Minnesota Statutes 2019 Supplement, section 152.11, subdivision 1, is amended
18.15 to read:

18.16 Subdivision 1. **General prescription requirements for controlled substances.** (a) A
18.17 written prescription or an oral prescription reduced to writing, when issued for a controlled
18.18 substance in Schedule II, III, IV, or V, is void unless (1) it is written in ink and contains the
18.19 name and address of the person for whose use it is intended; (2) it states the amount of the
18.20 controlled substance to be compounded or dispensed, with directions for its use; (3) if a
18.21 written prescription, it contains the handwritten signature, address, and federal registry
18.22 number of the prescriber and a designation of the branch of the healing art pursued by the
18.23 prescriber; and if an oral prescription, the name and address of the prescriber and a
18.24 designation of the prescriber's branch of the healing art; and (4) it shows the date when
18.25 signed by the prescriber, or the date of acceptance in the pharmacy if an oral prescription.

18.26 (b) An electronic prescription for a controlled substance in Schedule II, III, IV, or V is
18.27 void unless it complies with the standards established pursuant to section 62J.497 and with
18.28 those portions of Code of Federal Regulations, title 21, parts 1300, 1304, 1306, and 1311,
18.29 that pertain to electronic prescriptions.

18.30 (c) A prescription for a controlled substance in Schedule II, III, IV, or V that is transmitted
18.31 by facsimile, either computer to facsimile machine or facsimile machine to facsimile machine,
18.32 is void unless it complies with the applicable requirements of Code of Federal Regulations,
18.33 title 21, part 1306.

19.1 (d) Every licensed pharmacy that dispenses a controlled substance prescription shall
 19.2 retain the original prescription in a file for a period of not less than two years, open to
 19.3 inspection by any officer of the state, county, or municipal government whose duty it is to
 19.4 aid and assist with the enforcement of this chapter. An original electronic or facsimile
 19.5 prescription may be stored in an electronic database, provided that the database provides a
 19.6 means by which original prescriptions can be retrieved, as transmitted to the pharmacy, for
 19.7 a period of not less than two years.

19.8 (e) Every licensed pharmacy shall distinctly label the container in which a controlled
 19.9 substance is dispensed with the directions contained in the prescription for the use of that
 19.10 controlled substance.

19.11 ~~(f) No prescription for an opiate or narcotic pain reliever listed in Schedules II through~~
 19.12 ~~IV of section 152.02 may be initially dispensed more than 30 days after the date on which~~
 19.13 ~~the prescription was issued. No subsequent refills indicated on a prescription for a Schedule~~
 19.14 ~~III or IV opiate or narcotic pain reliever may be dispensed more than 30 days after the~~
 19.15 ~~previous date on which the prescription was initially filled or refilled. After the authorized~~
 19.16 ~~refills for Schedule III or IV opiate or narcotic pain relievers have been used up or are~~
 19.17 ~~expired, no additional authorizations may be accepted for that prescription. If continued~~
 19.18 ~~therapy is necessary, a new prescription must be issued by the prescriber.~~

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

19.20 Sec. 9. Minnesota Statutes 2018, section 171.0605, subdivision 5, is amended to read:

19.21 Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of
 19.22 documentation from the following is satisfactory evidence of an applicant's principal
 19.23 residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

19.24 (1) a home utility services bill issued no more than ~~90 days~~ 12 months before the
 19.25 application, ~~provided that the commissioner must not accept a United States home utility~~
 19.26 ~~bill if two unrelated people are listed on the bill;~~

19.27 (2) a home utility services hook-up work order issued no more than ~~90 days~~ 12 months
 19.28 before the application, ~~provided that the commissioner must not accept a home utility~~
 19.29 ~~services hook-up work order if two unrelated people are listed on the work order;~~

19.30 (3) United States bank or financial information issued no more than ~~90 days~~ 12 months
 19.31 before the application, with account numbers redacted, including:

19.32 (i) a bank account statement;

- 20.1 ~~(ii) a canceled check; or~~
- 20.2 ~~(iii) (ii) a credit card or debit card statement;~~
- 20.3 (iii) a brokerage account statement; or
- 20.4 (iv) a money market account statement;
- 20.5 ~~(4) a United States high school identification card with a certified transcript from the a~~
 20.6 United States high school, if issued no more than 180 days before the application;
- 20.7 ~~(5) a Minnesota college or university identification card with a certified transcript from~~
 20.8 the a Minnesota college or university, if issued no more than 180 days before the application;
- 20.9 (6) an employment pay stub issued no more than ~~90 days~~ 12 months before the application
 20.10 that lists the employer's name, and address, ~~and telephone number;~~
- 20.11 (7) a Minnesota unemployment insurance benefit statement issued no more than ~~90 days~~
 20.12 12 months before the application;
- 20.13 (8) a statement from a housing with services building registered under chapter 144D,
 20.14 nursing home licensed under chapter 144A, or a boarding care facility licensed under sections
 20.15 144.50 to 144.56, that was issued no more than ~~90 days~~ 12 months before the application;
- 20.16 (9) a ~~life, current policy or card for~~ health, automobile, homeowner's, or renter's insurance
 20.17 ~~policy issued no more than 90 days before the application, provided that the commissioner~~
 20.18 ~~must not accept a proof of insurance card;~~
- 20.19 (10) a federal or state income tax return ~~or statement~~ for the most recent tax filing year;
- 20.20 (11) a Minnesota property tax statement for the current or prior calendar year or a
 20.21 proposed Minnesota property tax notice for the current year that shows the applicant's
 20.22 principal residential address both on the mailing portion and the portion stating what property
 20.23 is being taxed;
- 20.24 (12) a Minnesota vehicle certificate of title, ~~if issued no more than 12 months before the~~
 20.25 ~~application;~~
- 20.26 (13) a filed property deed or title for current residence, ~~if issued no more than 12 months~~
 20.27 ~~before the application;~~
- 20.28 (14) a Supplemental Security Income award statement issued no more than 12 months
 20.29 before the application;
- 20.30 (15) mortgage documents for the applicant's principal residence;

21.1 (16) a residential lease agreement for the applicant's principal residence issued no more
21.2 than 12 months before the application;

21.3 (17) a valid driver's license, including an instruction permit, issued under this chapter;

21.4 (18) a valid Minnesota identification card;

21.5 (19) an unexpired Minnesota professional license;

21.6 (20) an unexpired Selective Service card; ~~or~~

21.7 (21) military orders that are still in effect at the time of application;

21.8 (22) a cellular phone bill issued no more than 12 months before the application; or

21.9 (23) a valid license issued pursuant to the game and fish laws.

21.10 (b) In lieu of one of the two documents required by paragraph (a), an applicant under
21.11 the age of 18 may use a parent or guardian's proof of principal residence as provided in this
21.12 paragraph. The parent or guardian of the applicant must provide a document listed under
21.13 paragraph (a) that includes the parent or guardian's name and the same address as the address
21.14 on the document provided by the applicant. The parent or guardian must also certify that
21.15 the applicant is the child of the parent or guardian and lives at that address.

21.16 ~~(b)~~ (c) A document under paragraph (a) must include the applicant's name and an principal
21.17 residence address in Minnesota.

21.18 **EFFECTIVE DATE.** This section is effective four weeks following final enactment
21.19 or on the date the changes required by this section are implemented, whichever is earlier.
21.20 If the changes required by this section are implemented earlier than four weeks after final
21.21 enactment, the commissioner of public safety must notify the revisor of statutes of the date.

21.22 Sec. 10. Minnesota Statutes 2018, section 241.75, subdivision 2, is amended to read:

21.23 Subd. 2. **Health care decisions.** The medical director of the Department of Corrections
21.24 may make a health care decision for an inmate incarcerated in a state correctional facility
21.25 or placed in an outside facility on conditional medical release if the inmate's attending
21.26 physician determines that the inmate lacks decision-making capacity and:

21.27 (1) there is not a documented health care agent designated by the inmate or the health
21.28 care agent is not reasonably available to make the health care decision;

21.29 (2) if there is a documented health care directive, the decision is consistent with that
21.30 directive;

22.1 (3) the decision is consistent with reasonable medical practice and other applicable law;
22.2 and

22.3 (4) the medical director has made a good faith attempt to consult with the inmate's next
22.4 of kin or emergency contact person in making the decision, to the extent those persons are
22.5 reasonably available.

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

22.7 Sec. 11. Minnesota Statutes 2018, section 609.105, subdivision 2, is amended to read:

22.8 Subd. 2. **Place of confinement.** The commissioner of corrections shall determine the
22.9 place of confinement in a prison, reformatory, or other facility of the Department of
22.10 Corrections established by law for the confinement of convicted persons and prescribe
22.11 reasonable conditions and rules for their employment, conduct, instruction, and discipline
22.12 within or without the facility. When the remaining term of imprisonment for a convicted
22.13 person upon commitment is 90 days or less, the commissioner of corrections may contract
22.14 with a county for placement of the person in a county jail or detention center for the
22.15 remainder of the person's term.

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

22.17 Sec. 12. **COMMISSIONER OF COMMERCE AUTHORITY.**

22.18 (a) In the event of a declaration of emergency pursuant to Minnesota Statutes, section
22.19 12.31, the commissioner of commerce may delay, stay, or waive licensing, investigative,
22.20 or other deadlines related to the duties and responsibilities of the commissioner under
22.21 Minnesota Statutes, chapters 45 to 83, 115C, 216 to 222, 237 to 239, 325F, and 345.

22.22 (b) Action taken by the commissioner under this section must:

22.23 (1) treat similarly situated persons equally; and

22.24 (2) be intended to provide relief or safe harbor from legal obligations with respect to
22.25 licensees or other persons regulated by the Department of Commerce, or to ensure continuity
22.26 of department operations and processes.

22.27 (c) The authority granted under this section remains in effect until 60 days after the
22.28 peacetime emergency declared in Executive Order 20-01 is terminated or rescinded by the
22.29 proper authority.

22.30 (d) Within two business days after the date the commissioner takes action under this
22.31 section, the commissioner must notify the chairs and ranking minority members of the

23.1 legislative committees having jurisdiction over commerce or energy policy regarding
 23.2 deadlines affected by the action. If the deadline is health-insurance related, the commissioner
 23.3 must also notify the chairs and ranking minority members of the legislative committees
 23.4 having jurisdiction over health and human services policy within two business days of the
 23.5 date the commissioner takes action under this section. Notification may be made by e-mail
 23.6 and must include citations to the relevant statute or rule and any new deadline imposed.

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

23.8 **Sec. 13. OFFICE OF HIGHER EDUCATION.**

23.9 Subdivision 1. **Applicability.** The powers granted in this section apply beginning on
 23.10 the date a peacetime public health emergency is declared by the governor pursuant to
 23.11 Minnesota Statutes, section 12.31, in response to a potential or actual outbreak of COVID-19.
 23.12 The powers expire 60 days after the declaration of the peacetime public health emergency
 23.13 expires. For purposes of this section, "peacetime public health emergency" means any
 23.14 peacetime emergency declared by the governor in an executive order that relates to the
 23.15 infectious disease known as COVID-19.

23.16 Subd. 2. **Temporary powers granted; limitations.** The commissioner of the Office of
 23.17 Higher Education is granted temporary powers described and limited by this section to
 23.18 protect the financial stability and academic standing of students, grantees, and borrowers.
 23.19 The temporary powers granted to the commissioner in this section may only be used to:

23.20 (1) prepare for, prevent, or respond to an outbreak of COVID-19; or

23.21 (2) preserve access to programs and services provided by the Office of Higher Education.

23.22 Subd. 3. **Authority to modify or waive rules.** The commissioner may modify or waive
 23.23 statutory requirements or administrative rules relating to:

23.24 (1) work study programs under Minnesota Statutes, sections 136A.231 to 136A.233,
 23.25 and accompanying rules under Minnesota Rules, chapter 4830;

23.26 (2) the SELF loan and other lending programs under Minnesota Statutes, sections 136A.15
 23.27 to 136A.1787, and accompanying rules under Minnesota Rules, chapter 4850;

23.28 (3) the state grant program under Minnesota Statutes, section 136A.121, and
 23.29 accompanying rules under Minnesota Rules, chapter 4830; or

23.30 (4) student grants, aid, and scholarships under Minnesota Statutes, sections 136A.1215
 23.31 to 136A.1275, and accompanying rules under Minnesota Rules, chapter 4830.

24.1 Subd. 4. **Fiscal impact.** If action taken by the commissioner under this section will result
 24.2 in a fiscal impact that the Office of Higher Education cannot absorb, the commissioner shall
 24.3 first seek and receive legislative approval for any fiscal impact to the state.

24.4 Subd. 5. **Consultation.** The commissioner shall consult with the chairs and ranking
 24.5 minority members of the legislative committees with jurisdiction over higher education
 24.6 issues, when possible, before exercising the temporary powers granted under this section.

24.7 Subd. 6. **Report.** Within 90 days of the expiration of the declaration of the peacetime
 24.8 public health emergency, the commissioner shall submit a report to the members of the
 24.9 legislative committees with jurisdiction over higher education issues regarding the temporary
 24.10 powers that were exercised under this section, including but not limited to any statutes or
 24.11 administrative rules that were modified or waived. The report must also include a timeline
 24.12 as to when temporary powers were exercised and an explanation as to why the exercise of
 24.13 temporary powers was necessary.

24.14 **EFFECTIVE DATE.** This section is effective retroactively for any emergency
 24.15 declaration covered by this section. Except as necessary to comply with the reporting
 24.16 requirements in subdivision 6, this section expires the later of December 31, 2020, or 60
 24.17 days after the end of a peacetime public health emergency declared before December 31,
 24.18 2020.

24.19 Sec. 14. **EMERGENCY PURCHASING; WORKFORCE AND EQUAL PAY**
 24.20 **CERTIFICATES.**

24.21 (a) Minnesota Statutes, sections 363A.36 and 363A.44, do not apply to emergency
 24.22 purchasing authorized by Minnesota Statutes, section 16C.10, subdivision 2, during the
 24.23 period of a peacetime emergency declared by the governor under Minnesota Statutes, section
 24.24 12.31.

24.25 (b) The commissioner of administration must submit a report on implementation of this
 24.26 section to the chairs and ranking minority members of the legislative committees with
 24.27 jurisdiction over state government finance. The report must describe the purchases that were
 24.28 made using the exemption provided in paragraph (a). A preliminary report must be submitted
 24.29 no later than December 31, 2020, and a final report must be submitted no later than March
 24.30 31, 2021.

24.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and,
 24.32 except as necessary to comply with the reporting requirement in paragraph (b), expires
 24.33 January 31, 2021.

25.1 Sec. 15. PEACETIME PUBLIC HEALTH EMERGENCY; DRIVER'S LICENSE,
25.2 IDENTIFICATION CARD, AND DISABILITY CERTIFICATE EXTENSIONS.

25.3 Subdivision 1. Definition. For purposes of this section, "peacetime public health
25.4 emergency period" means the duration of any peacetime emergency declared by the governor
25.5 in an executive order that relates to the infectious disease known as COVID-19, but ending
25.6 no later than January 31, 2021.

25.7 Subd. 2. Licenses and identification cards. (a) Notwithstanding Minnesota Statutes,
25.8 sections 171.07, subdivision 4; 171.186, subdivision 4; and 171.27, the expiration date is
25.9 extended for any valid driver's license, including but not limited to an instruction permit,
25.10 provisional license, operator's permit, limited license, and farm work license, and any
25.11 Minnesota identification card, issued under Minnesota Statutes, chapter 171, that absent
25.12 this subdivision would otherwise expire (1) during the peacetime public health emergency
25.13 period, or (2) on any day of the month in which the peacetime public health emergency
25.14 period terminates.

25.15 (b) An extension in this subdivision is provided to the last day of the second consecutive
25.16 month following the month in which the peacetime public health emergency period
25.17 terminates.

25.18 (c) No fee or surcharge under Minnesota Statutes, chapter 171, is imposed for an
25.19 extension under this subdivision.

25.20 (d) An extension under this subdivision does not alter the expiration date for subsequent
25.21 license or Minnesota identification card renewals. Nothing in this subdivision prevents
25.22 suspension, cancellation, revocation, or disqualification as provided in Minnesota Statutes,
25.23 chapter 168, 169, 169A, 171, 260B, 260C, or any other chapter.

25.24 (e) The authority in this subdivision does not apply:

25.25 (1) to issuance of a new driver's license or Minnesota identification card, except as
25.26 provided in subdivision 3;

25.27 (2) to reinstatement of a canceled, suspended, or revoked license; and

25.28 (3) to a person who is no longer eligible for the license or Minnesota identification card.

25.29 (f) The commissioner of public safety must ensure that the driving record of a person
25.30 whose driver's license expiration date is extended pursuant to this subdivision indicates that
25.31 the person's driver's license is valid until the extension expires as provided in this subdivision.
25.32 The commissioner must ensure, as far as practicable, that this information is available to
25.33 law enforcement and other entities outside the state of Minnesota.

26.1 Subd. 3. **Out-of-state licenses.** (a) Notwithstanding Minnesota Statutes, section 171.03,
26.2 paragraph (h), any person who becomes a resident of the state of Minnesota and who
26.3 possesses a valid noncommercial driver's license issued to the person under and pursuant
26.4 to the laws of some other state or jurisdiction, or by military authorities of the United States,
26.5 may operate a motor vehicle for more than 60 days without being required to have a
26.6 Minnesota driver's license, as provided by this subdivision. A person described by this
26.7 subdivision may only operate the types of vehicles for which the license is issued and must
26.8 apply for a Minnesota driver's license by the last day of the second consecutive month
26.9 following the month in which the peacetime public health emergency period terminates.

26.10 (b) If a Minnesota resident's driver's license or state identification card issued by another
26.11 state, jurisdiction, or military authority would expire absent this subdivision during the
26.12 period specified by subdivision 2, paragraph (a), the expiration date is extended in the
26.13 manner prescribed by subdivision 2, paragraphs (a) to (e).

26.14 (c) For purposes of this subdivision, "driver's license" includes but is not limited to an
26.15 instruction permit, provisional license, operator's permit, limited license, and farm work
26.16 license.

26.17 Subd. 4. **Disability certificates and permits.** (a) Notwithstanding Minnesota Statutes,
26.18 section 169.345, the expiration date is extended for any certificate or permit issued under
26.19 that section that, absent this subdivision, would otherwise expire (1) during the peacetime
26.20 public health emergency period, or (2) on any day of the month in which the peacetime
26.21 public health emergency period terminates.

26.22 (b) An extension in this subdivision is provided to the last day of the second consecutive
26.23 month following the month in which the peacetime public health emergency period
26.24 terminates.

26.25 (c) No fee or surcharge under Minnesota Statutes, section 169.345, is imposed for an
26.26 extension in this subdivision.

26.27 (d) Nothing in this subdivision prevents cancellation as provided in Minnesota Statutes,
26.28 section 169.345.

26.29 Subd. 5. **Law enforcement.** The commissioner of public safety must work with law
26.30 enforcement agencies in this state to ensure that all law enforcement officers are aware of
26.31 the changes made in this section.

26.32 Subd. 6. **Public information.** The commissioner of public safety must make reasonable
26.33 efforts to publicize to the general public the expiration date extensions under this section,

27.1 including providing information on the criteria for who is subject to the extensions and
 27.2 identifying the ending date of the extensions once known.

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

27.4 Sec. 16. **REPORT TO LEGISLATURE; POWERS EXERCISED BY**
 27.5 **COMMISSIONER OF PUBLIC SAFETY DURING PEACETIME PUBLIC HEALTH**
 27.6 **EMERGENCY.**

27.7 (a) Within 30 days of the expiration of a peacetime public health emergency period, the
 27.8 commissioner of public safety must report to the legislative committees with jurisdiction
 27.9 over transportation regarding any temporary powers exercised relating to driver and vehicle
 27.10 services and the State Patrol, including but not limited to any statutory requirements or
 27.11 administrative rules that were modified or waived. The report must include a timeline as to
 27.12 when and an explanation of why temporary powers were exercised. For purposes of this
 27.13 section, the requirements under section 15 are temporary powers and must be included in
 27.14 the report.

27.15 (b) For purposes of this section, "peacetime public health emergency period" means the
 27.16 duration of any peacetime emergency declared by the governor in an executive order that
 27.17 relates to the infectious disease known as COVID-19.

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

27.19 Sec. 17. **FOOD SHELVES; PEACETIME EMERGENCY DISTRIBUTION.**

27.20 Notwithstanding Minnesota Statutes, section 256E.34, during the period of a declared
 27.21 peacetime emergency pursuant to Minnesota Statutes, section 12.31, in response to a potential
 27.22 or actual outbreak of COVID-19:

27.23 (1) additional funds may be distributed to the statewide network of food banks, food
 27.24 shelves, and additional transportation providers; and

27.25 (2) additional funds may be distributed to the statewide network of food shelves to
 27.26 purchase, transport, and coordinate the distribution of food, diapers, toilet paper, and other
 27.27 necessary supplies to needy individuals and families.

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

28.1 **Sec. 18. DEFENSE OR OBJECTION TO REAL AND PERSONAL PROPERTY**
 28.2 **TAXES; FILING EXTENSION.**

28.3 Notwithstanding Minnesota Statutes, section 278.01, subdivision 1, paragraph (c), or
 28.4 any other law to the contrary, for property taxes payable in 2020 only, a petitioner filing a
 28.5 real or personal property tax petition under Minnesota Statutes, section 278.01, shall have
 28.6 until May 30, 2020, to file copies of the petition, with proof of service, in the office of the
 28.7 court administrator of the district court.

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

28.9 **Sec. 19. USES OF GENERAL-USE SANITIZERS AND DISINFECTANTS FOR**
 28.10 **TREATMENT OF COVID-19.**

28.11 (a) A person who uses a general-use sanitizer or disinfectant for hire in response to
 28.12 COVID-19 is exempt from the commercial applicator license requirements under Minnesota
 28.13 Statutes, section 18B.33.

28.14 (b) This section expires April 1, 2021.

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

28.16 **Sec. 20. SUITABLE EMPLOYMENT DURING COVID-19 PANDEMIC.**

28.17 Notwithstanding the definition of "suitable employment" provided in Minnesota Statutes,
 28.18 section 268.035, subdivision 23a, for an applicant applying for unemployment insurance
 28.19 benefits between March 1, 2020, and December 31, 2020, employment is not suitable under
 28.20 Minnesota Statutes, section 268.035, subdivision 23a, paragraphs (a) and (b), if:

28.21 (1) the employment puts the health and safety of the applicant at risk due to potential
 28.22 exposure of the applicant to COVID-19; or

28.23 (2) the employment puts the health and safety of other workers and the general public
 28.24 at risk due to potential exposure of the other workers and the general public to COVID-19.

28.25 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 28.26 is retroactive to March 1, 2020.

28.27 **Sec. 21. TEMPORARY SUSPENSION OF ONE-WEEK WAITING PERIOD.**

28.28 Notwithstanding Minnesota Statutes, section 268.085, subdivision 1, the one-week
 28.29 nonpayable waiting period to receive unemployment benefits is waived for applicants for

29.1 unemployment insurance benefit accounts established between March 1, 2020, and December
 29.2 31, 2020.

29.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 29.4 is retroactive to March 1, 2020.

29.5 Sec. 22. **TEMPORARY SUSPENSION OF FIVE-WEEK BUSINESS OWNER**
 29.6 **BENEFIT LIMITATION.**

29.7 Notwithstanding Minnesota Statutes, section 268.085, subdivision 9, the five-week
 29.8 limitation for receipt of unemployment benefits for business owners is suspended for
 29.9 applicants for unemployment insurance benefit accounts established between March 1,
 29.10 2020, and December 31, 2020.

29.11 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 29.12 is retroactive to March 1, 2020.

29.13 Sec. 23. **LEAVE OF ABSENCE DUE TO COVID-19.**

29.14 Notwithstanding Minnesota Statutes, section 268.085, subdivision 13a, for an applicant
 29.15 applying for an unemployment insurance benefits account established between March 1,
 29.16 2020, and December 31, 2020, a leave of absence is presumed to be an involuntary leave
 29.17 of absence and not ineligible if:

29.18 (1) a determination has been made by health authorities or by a health care professional
 29.19 that the presence of the applicant in the workplace would jeopardize the health of others,
 29.20 whether or not the applicant has actually contracted a communicable disease;

29.21 (2) a quarantine or isolation order has been issued to the applicant pursuant to Minnesota
 29.22 Statutes, sections 144.419 to 144.4196;

29.23 (3) there is a recommendation from health authorities or from a health care professional
 29.24 that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19
 29.25 due to being immunocompromised;

29.26 (4) the applicant has been instructed by the applicant's employer not to come to the
 29.27 employer's place of business due to an outbreak of a communicable disease; or

29.28 (5) the applicant has received a notification from a school district, day care, or other
 29.29 child care provider that either (i) classes are canceled, or (ii) the applicant's ordinary child
 29.30 care is unavailable, provided that the applicant made reasonable effort to obtain other child

30.1 care and requested time off or other accommodation from the employer and no reasonable
 30.2 accommodation was available.

30.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 30.4 is retroactive to March 1, 2020.

30.5 Sec. 24. **COMPUTATION OF FUTURE TAX RATE; EFFECT OF PAYMENT**
 30.6 **FROM TRUST FUND.**

30.7 Notwithstanding Minnesota Statutes, section 268.047, subdivision 1, unemployment
 30.8 insurance benefits paid as a result of an applicant not being able to work directly or indirectly
 30.9 as a result of the COVID-19 pandemic will not be used in computing the future
 30.10 unemployment insurance tax rate of a taxpaying employer. This section expires December
 30.11 31, 2020.

30.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 30.13 is retroactive to March 1, 2020.

30.14 Sec. 25. **ONETIME EXCEPTION TO RESTRICTIONS ON USE OF MINNESOTA**
 30.15 **INVESTMENT FUND LOCAL GOVERNMENT LOAN REPAYMENT FUNDS.**

30.16 (a) Notwithstanding Minnesota Statutes, section 116J.8731, a home rule charter or
 30.17 statutory city, county, or town that has uncommitted money received from repayment of
 30.18 funds awarded under Minnesota Statutes, section 116J.8731, may use those funds to issue
 30.19 loans to retail stores, service providers, and hospitality businesses, in addition to the uses
 30.20 permitted under Minnesota Statutes, section 116J.8731, until the end of fiscal year 2020.

30.21 (b) By February 15, 2021, a home rule charter or statutory city, county, or town that
 30.22 exercises the option under paragraph (a) shall submit to the chairs and ranking minority
 30.23 members of the legislative committees with jurisdiction over economic development policy
 30.24 and finance an accounting and explanation of the use and distribution of the funds.

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

30.26 Sec. 26. **PEACETIME EMERGENCY; DELAYED SUBMISSION OF**
 30.27 **FINGERPRINTS AUTHORIZED.**

30.28 Subdivision 1. **Definitions.** (a) "Critical infrastructure" means the following economic
 30.29 sectors:

30.30 (1) health care and public health, including individuals who support food, shelter, social
 30.31 services, and other necessities of life for economically disadvantaged or otherwise needy

31.1 individuals and individuals who perform mortuary services or ensure the proper disposal
 31.2 of human remains;

31.3 (2) law enforcement, public safety, and first responders, including individuals performing
 31.4 fire, corrections, and hazardous materials response services;

31.5 (3) food and agriculture;

31.6 (4) energy, including electricity, petroleum, and natural and propane gas;

31.7 (5) water and wastewater;

31.8 (6) transportation and logistics;

31.9 (7) public works;

31.10 (8) communications and information technology;

31.11 (9) community-based government operations and essential functions, including weather
 31.12 forecasters, educators, child care providers, and hotel workers where hotels are used in
 31.13 support of a peacetime emergency declared under Minnesota Statutes, chapter 12;

31.14 (10) critical manufacturing in support of other critical infrastructure sectors;

31.15 (11) hazardous materials;

31.16 (12) financial services;

31.17 (13) chemicals, including individuals who produce protective cleaning and medical
 31.18 solutions, personal protective equipment, and other essential products; and

31.19 (14) defense industrial base.

31.20 (b) "Essential worker" means an individual who is employed, licensed, or applying for
 31.21 employment or licensure in critical infrastructure.

31.22 Subd. 2. **Delayed fingerprint submission.** (a) Upon a declaration of a peacetime
 31.23 emergency pursuant to Minnesota Statutes, chapter 12, the superintendent of the Bureau of
 31.24 Criminal Apprehension may delay the submission of fingerprints needed to perform a
 31.25 statutorily authorized background check of an essential worker.

31.26 (b) In determining which background checks are subject to a delayed submission of
 31.27 fingerprints under paragraph (a), the superintendent must consider which essential workers
 31.28 are necessary in order to meet the requirements of the peacetime emergency. The
 31.29 superintendent must consult with the licensing and employing agencies, boards, and entities
 31.30 with authority over the essential workers covered by the determination. The superintendent
 31.31 must post the determination on the bureau's website.

32.1 (c) An essential worker granted a delay in the submission of fingerprints must submit
 32.2 fingerprints in compliance with the applicable statute within 30 days after the peacetime
 32.3 emergency ceases or the temporary delay granted under this section expires, whichever
 32.4 occurs earlier. The licensing or employing board, agency, or entity responsible for
 32.5 administering a fingerprint-based background check under the applicable statute must
 32.6 immediately revoke the essential worker's credentials if the essential worker's background
 32.7 check discloses disqualifying information.

32.8 (d) The superintendent must provide written notice to the chairs and ranking minority
 32.9 members of the legislative committees and divisions with jurisdiction over public safety at
 32.10 least 48 hours before exercising the authority granted under paragraph (a).

32.11 Subd. 3. **False material information; penalty.** An essential worker who gives or causes
 32.12 to be given any false material information in applying for a license or position that requires
 32.13 a fingerprint-based background check while a delay of submission of fingerprints under the
 32.14 authority granted in subdivision 2 is in effect, knowing or having reason to know the
 32.15 information is false, is guilty of a gross misdemeanor.

32.16 Subd. 4. **Report required.** (a) The superintendent, in consultation with the licensing or
 32.17 employing agencies, boards, and entities with authority over essential workers subject to a
 32.18 delay of fingerprint submission under this section, must report to the chairs and ranking
 32.19 minority members of the legislative committees and divisions with jurisdiction over public
 32.20 safety the following information:

32.21 (1) the statutes that were the subject of the delayed submission of fingerprints;

32.22 (2) an explanation of why the delayed submission of fingerprints was necessary;

32.23 (3) the number of essential workers who were subject to a background check and were
 32.24 granted a delay of submission of fingerprints;

32.25 (4) the number of essential workers granted a delay who submitted fingerprints;

32.26 (5) the number of essential workers granted a delay who were subsequently disqualified
 32.27 upon submission of fingerprints; and

32.28 (6) aggregate data about the licensing and employment categories for which fingerprint
 32.29 submissions were delayed.

32.30 (b) The superintendent must submit the report required under this subdivision by January
 32.31 31, 2021.

32.32 Subd. 5. **Expiration.** This section expires on March 1, 2021.

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