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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 6

06/12/2020 Authored by Mahoney, Davnie, Hausman, Lee, Moran and others
The bill was read for the first time and referred to the Jobs and Economic Development Finance Division

1.1 A bill for an act
1.2 relating to economic development; creating a program to award grants to cities
1.3 for programs to assist entities harmed by civil unrest; requiring reports;
1.4 appropriating money.

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

1.6 Section 1. CIVIL UNREST IMMEDIATE RELIEF PROGRAM.

1.7 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
1.8 the meanings given.

1.9 (b) "City" means a city included in the peacetime emergency declared in governor's
1.10 Executive Order No. 20-64.

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

1.12 (d) "Community organization" means an organization that receives a subgrant from a
1.13 city to make grants and loans to entities under this section. These subgrants should be made
1.14 for the purpose of reaching entities that may need additional or targeted assistance in applying
1.15 for grants or loans.

1.16 (e) "Entity" includes any business or nonprofit organization. This includes businesses,
1.17 cooperatives, utilities, industrial, commercial, retail, and nonprofit organizations.

1.18 Subd. 2. Establishment. The commissioner shall establish a program to make grants to
1.19 cities to develop and implement local economic relief programs to assist entities adversely
1.20 affected by civil unrest during the peacetime emergency declared in governor's Executive
1.21 Order No. 20-64. Local economic relief programs should be designed with the goal of
1.22 retaining incumbent businesses and other entities in their current neighborhoods and

2.1 preserving the integrity of existing communities. To this end, local programs should include
2.2 outreach to cultural communities, support for microenterprises, and preferences for entities
2.3 that were already under stress from the COVID-19 peacetime emergency.

2.4 Subd. 3. **Available relief.** (a) The economic relief programs established by cities under
2.5 this section may include grants or loans as provided in this section. Prior to awarding a grant
2.6 to a city for a relief program under this section:

2.7 (1) the city must develop criteria, procedures, and requirements for:

2.8 (i) determining eligibility for assistance;

2.9 (ii) the duration, terms, underwriting and security requirements, and repayment
2.10 requirements for loans;

2.11 (iii) evaluating applications for assistance;

2.12 (iv) awarding assistance; and

2.13 (v) administering the grant and loan programs authorized under this section;

2.14 (2) the city must submit its criteria, procedures, and requirements developed pursuant
2.15 to clause (1) to the commissioner of employment and economic development for review;
2.16 and

2.17 (3) the commissioner must approve the criteria, procedures, and requirements as
2.18 developed pursuant to clause (1) to be used by a city in determining eligibility for assistance,
2.19 evaluating, awarding, and administering a grant and loan program.

2.20 (b) The relief authorized under this section includes:

2.21 (1) grants to community organizations to provide grants and loans to entities, as described
2.22 in clauses (2) and (3), on the city's behalf;

2.23 (2) grants to entities. These grants are not to exceed \$250,000 per entity. Grants may be
2.24 awarded to applicants only when a city determines that a loan is not appropriate to address
2.25 the needs of the applicant; and

2.26 (3) loans to entities, with or without interest, and deferred or forgivable loans. The
2.27 maximum loan amount under this subdivision is \$500,000 per entity. The lending criteria
2.28 adopted by a city for loans under this subdivision must:

2.29 (i) specify that an entity receiving a deferred or forgivable loan must remain in the local
2.30 community a minimum of three years after the date of the loan. The maximum loan deferral
2.31 period must not exceed three years from the date the loan is approved; and

3.1 (ii) require submission of a plan for continued operation. The plan must document the
3.2 probable success of the applicant's plan and probable success in repaying the loan according
3.3 to the terms established for the loan program.

3.4 (c) All loan repayment funds under this subdivision must be paid to the commissioner
3.5 of employment and economic development for deposit in the general fund.

3.6 Subd. 4. **Monitoring and reporting.** (a) Participating cities must establish performance
3.7 measures that include but are not limited to the following components:

3.8 (1) the number of loans approved and the amounts and terms of the loans;

3.9 (2) the number of grants awarded, award amounts, and the reason that a grant award
3.10 was made in lieu of a loan;

3.11 (3) the loan default rate;

3.12 (4) the number of jobs created or retained as a result of the assistance, including
3.13 information on the wages and benefit levels, the status of the jobs as full-time or part-time,
3.14 and the status of the jobs as temporary or permanent;

3.15 (5) the amount of business activity and changes in gross revenues of the grant or loan
3.16 recipient as a result of the assistance; and

3.17 (6) the new tax revenue generated as a result of the assistance.

3.18 (b) The commissioner of employment and economic development must monitor the
3.19 participating cities' compliance with this section and the performance measures developed
3.20 under paragraph (a).

3.21 (c) Participating cities must comply with all requests made by the commissioner under
3.22 this section.

3.23 (d) By December 15 of each year the program is in existence, participating cities must
3.24 report their performance measures to the commissioner, including the performance measures
3.25 of any grants or loans made through community organizations. By January 15 of each year
3.26 the program is in existence, the commissioner must submit a report of these performance
3.27 measures to the chairs and ranking minority members of the committees of the house of
3.28 representatives and the senate having jurisdiction over economic development that details
3.29 the use of funds under this section.

3.30 Subd. 5. **Business subsidy requirements.** Minnesota Statutes, sections 116J.993 to
3.31 116J.995, do not apply to assistance under this section. Entities in receipt of assistance under
3.32 this section must provide for job creation and retention goals and wage and benefit goals.

4.1 Subd. 6. **Administrative costs.** The commissioner of employment and economic
4.2 development may use up to one percent of the appropriation made for this section for
4.3 administrative expenses of the department. Participating cities may also use up to one percent
4.4 of a grant they receive under this section for administrative expenses of the city and any
4.5 community organizations that receive a subgrant from the city.

4.6 **EFFECTIVE DATE.** This section, except for subdivision 4, is effective the day
4.7 following final enactment and expires June 30, 2021. Subdivision 4 is effective the day
4.8 following final enactment and expires the day after the last loan is repaid or forgiven as
4.9 provided under this section.

4.10 Sec. 2. **CIVIL UNREST IMMEDIATE RELIEF PROGRAM.**

4.11 \$125,000,000 in fiscal year 2020 is appropriated from the general fund to the
4.12 commissioner of employment and economic development for the civil unrest immediate
4.13 relief program. This is a onetime appropriation and is available until June 30, 2021.

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