

# Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;  
Official Notices; State Grants & Loans; State Contracts; Non-State Public Bids,  
Contracts and Grants**

**Monday 30 March 2020**

**Volume 44, Number 40**

**Pages 1075 - 1126**

# Minnesota State Register

## Judicial Notice Shall Be Taken of Material Published in the Minnesota State Register

The Minnesota State Register is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

## Printing Schedule and Submission Deadlines

Vol. 44 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#41	Monday 6 April	Noon Tuesday 31 March	Noon Thursday 26 March
#42	Monday 13 April	Noon Tuesday 7 April	Noon Thursday 2 April
#43	Monday 20 April	Noon Tuesday 14 April	Noon Thursday 9 April
#44	Monday 27 April	Noon Tuesday 21 April	Noon Thursday 16 April

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State Capitol, Room 231, St. Paul, MN 55155  
<https://www.senate.mn/>

### Minnesota State Court System

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<http://www.mncourts.gov>

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<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

### Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498  
U.S. Government Printing Office – Fax: (202) 512-1262  
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Stay home except for essential needs

March 27 - April 10

STAY HOME STOP THE SPREAD SAVE LIVES

m MINNESOTA | #StayHomeMN

The graphic features a white silhouette of the state of Minnesota on a black background. A white house icon is overlaid on the state, with the text 'STAY HOME MN' and a heart symbol. Below the state outline, three colored boxes (red, purple, blue) contain the text 'STAY HOME', 'STOP THE SPREAD', and 'SAVE LIVES' respectively. At the bottom, the Minnesota logo 'm MINNESOTA' and the hashtag '#StayHomeMN' are displayed.

# Minnesota Rules: Amendments and Additions

NOTICE: How to Follow State Agency Rulemaking in the State Register

The State Register is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the State Register. Published every Monday, the State Register makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific Minnesota Rule chapter numbers. Every odd-numbered year the Minnesota Rules are published. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the State Register.

An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (Minnesota Statutes §§ 14.101). It does this by publishing a notice in the State Register at least 60 days before publication of a notice to adopt or a notice of hearing, or within 60 days of the effective date of any new statutory grant of required rulemaking.

When rules are first drafted, state agencies publish them as Proposed Rules, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the State Register as Adopted Rules. These final adopted rules are not printed in their entirety, but only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the State Register, the issue the rule appeared in as proposed, and later as adopted.

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

## Volume 44 - Minnesota Rules

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# Proposed Rules

**Comments on Planned Rules or Rule Amendments.** An agency must first solicit Comments on Planned Rules or Comments on Planned Rule Amendments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency (*Minnesota Statutes* §§ 14.101). It does this by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

**Rules to be Adopted After a Hearing.** After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

**Rules to be Adopted Without a Hearing.** Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.1414.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” **Adopted Rules** - Underlining indicates additions to proposed rule language. ~~Strikeout~~ indicates deletions from proposed rule language.

## Minnesota Department of Revenue

### **Proposed Permanent Rules Relating to Assessors' Education and Licensing; DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number R-04631, OAH Docket Number 71-9032-36467**

#### **Proposed Amendment to Rules Governing Licensure, Education, Trainee Registration, Record Retention, and Reinstatement, *Minnesota Rules*, Chapter 1950**

**Introduction.** The Board of Assessors intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on April 29, 2020 the Board will hold a public hearing at the Department of Revenue, Stassen Building, 600 North Robert Street, Saint Paul, MN 55155 starting at 9:00 a.m. on June 2, 2020. To find out whether the Board will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after April 29, 2020 and before June 1, 2020.

**Agency Contact Person.** Submit any comments or questions on the rules or written requests for a public hearing via the Office of Administrative Hearing's eComments website at <https://minnesotaoah.granicusideas.com/discussions> or directly to the agency contact person. The agency contact person is:

# Proposed Rules

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Kyle Gustafson  
Appeals and Legal Services Division  
Minnesota Department of Revenue  
600 North Robert Street  
Saint Paul, MN 55146-2220  
(651) 556-4970  
(651) 296-8229 (Fax)

***Kyle.Gustafson@state.mn.us***

TTY users may call the Department at Minnesota Relay 711

**Subject of Rules and Statutory Authority.** The Board proposes to amend its existing rule by making the following changes:

1. Eliminate the Board's list designating the level of assessor licensure necessary for each jurisdiction, as the appropriate level of licensure is dictated by the type of property in a jurisdiction, as well as remove corresponding references to the Board's license level list.
2. Remove the requirement that a former licensee seeking reinstatement of Accredited Minnesota Assessor (AMA) or Senior Accredited Minnesota Assessor (SAMA) licensure complete the USPAP seven-hour update course.
3. Correct the expiration period for a temporary license holder to obtain an AMA license, from four years to five years, to be consistent with the statutory requirement in Minn. Stat. § 270C.9901 that all licensees obtain an AMA license within five years of being licensed at the Certified Minnesota Assessor (CMA) level.
4. Reduce the amount of coursework that a licensee must complete to obtain an AMA license by: moving requirement for completion of an assessment administration course to the requirements for SAMA licensure; eliminating the 30-hour elective course requirement; and removing 15-hour USPAP requirement. These courses are replaced with a 15-hour property-specific course requirement that will be immediately-applicable to licensees' work.
5. Recognize the designation of mass appraisal specialist from the International Association of Assessing Officers as a substitute for a narrative appraisal for obtaining AMA licensure.
6. Change the coursework requirements for obtaining SAMA licensure to better reflect the duties of licensees who are in positions that require this level of licensure. As noted above, the assessment administration course is moved from the requirements for AMA licensure to SAMA licensure. Furthermore, there are added requirements for courses on management and leadership.
7. Remove requirement that classes providing continuing education hours must be at least three hours long.

The Board's statutory authority to adopt the rules is set forth in *Minnesota Statutes*, section 270.47 which authorizes the Board to "establish the rules necessary to accomplish the purpose of sections 270.41 to 270.50, and shall establish criteria required of assessing officials in the state. Separate criteria may be established depending upon the responsibilities of the assessor." *Minnesota Statutes*, section 270.41, subdivision 1 authorizes the Board to "review, supervise, coordinate, and approve courses in assessment practices, and establish criteria for determining assessor's qualifications."

Under these statutes the Board has the necessary statutory authority to adopt the proposed rules. All statutory authority was adopted and effective prior to January 1, 1996, and so *Minnesota Statutes*, section 14.125, does not apply. See *Minnesota Laws 1995*, chapter 233, article 2, section 58.

A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

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# Proposed Rules

**Comments.** You have until 4:30 p.m. on April 29, 2020 to submit written comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and submitted through the Office of Administrative Hearing's eComments website at <https://minnesotaoah.granicusideas.com/discussions> or received by the agency contact person by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on April 29, 2020. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

**Withdrawal of Requests.** If 25 or more persons submit a valid written request for a hearing, the Department will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

**Alternative Format/Accommodation.** Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

**Modifications.** The Department might modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. The adopted rules may not be substantially different than these proposed rules unless the Department follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Department encourages you to participate in the rulemaking process.

**Cancellation of Hearing.** The Department will cancel the hearing scheduled for June 2, 2020 if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 556-4970 April 29, 2020 to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling 651-556-4970 or going on-line at [http://www.revenue.state.mn.us/law\\_policy/Pages/Rules.aspx](http://www.revenue.state.mn.us/law_policy/Pages/Rules.aspx).

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge, Jessica Palmer-Denig, is assigned to conduct the hearing. Judge Legal Assistant Anne Laska can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7881, and FAX (651) 539-0310, or [anne.laska@state.mn.us](mailto:anne.laska@state.mn.us).

**Hearing Procedure.** If the Board holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing, the Administrative Law Judge may

# Proposed Rules

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order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so by way of the Office of Administrative Hearings' Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>. If it is not possible to use the eComments website, post-hearing comments may be submitted in person, via United States mail, or by facsimile number listed in the section above.

All comments or responses received will be available for review at the Office of Administrative Hearings' eComments website, post-hearing comments may be submitted in person, via United States mail, or by facsimile addressed to Judge Palmer-Denig at the address or facsimile number listed in the section above.

All comments or responses received will be available for review at the Office of Administrative Hearings' eComments website and at the offices of the Board or Board's website at <https://www.revenue.state.mn.us/minnesota-state-board-assessors>.

This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240 (2019), and *Minnesota Statutes*, sections 14.131 to 14.20 (2018). You may direct questions about the procedure to the Administrative Law Judge.

**Statement of Need and Reasonableness.** The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. You can also find a link on the Department of Revenue website at: [http://www.revenue.state.mn.us/law\\_policy/Pages/Rules.aspx](http://www.revenue.state.mn.us/law_policy/Pages/Rules.aspx).

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Ask any questions about this requirement of the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The Department will submit the rules and supporting documents to the Office of Administrative Hearings for a legal review. You may ask to be notified of the date the rules are submitted to the office. If you want either to receive notice of this, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure after a Hearing.** If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date that the Administrative Law Judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by writing to the agency contact person stated above.

**Order.** I order that the rulemaking hearing be held at the date, time, and location listed above.

Signed by Andrea Fish, Executive Secretary of the Minnesota Board of Assessors on March 30, 2020.

## 1950.1020 LICENSURE.

*[For text of subparts 1 and 2, see Minnesota Rules]*

Subp. 3. [See repealer.]

Subp. 3a. [See repealer.]

*[For text of subpart 4, see Minnesota Rules]*

Subp. 5. **Reinstatement.**

*[For text of item A, see Minnesota Rules]*

~~B. A person seeking reinstatement as an accredited Minnesota assessor or senior accredited Minnesota assessor must have successfully completed the current year's Uniform Standards of Professional Appraisal Practice seven-hour update course.~~

~~C. B. An applicant for renewal must pay a reinstatement fee in addition to the license fee if the application for renewal is received after June 30.~~

## 1950.1030 CERTIFIED MINNESOTA ASSESSOR (CMA).

A person assisting the assessor of a taxing jurisdiction in making exemption, classification, or valuation decisions must obtain licensure as a certified Minnesota assessor. ~~A local assessor employed by a township or city not requiring a higher level of licensure as shown in the "List of Assessor License Levels for Minnesota Taxing Jurisdictions" must obtain licensure as a certified Minnesota assessor.~~ Requirements to initially obtain licensure as a certified Minnesota assessor are given in items A to F.

*[For text of items A to F, see Minnesota Rules]*

## 1950.1035 TEMPORARY LICENSE.

*[For text of subparts 1 and 2, see Minnesota Rules]*

Subp. 3. **Expiration.** A temporary license under subpart 1 or 2 expires on the second June 30 after issuance, or after the license holder obtains a permanent license, whichever occurs first. An applicant may not obtain more than one temporary license in the applicant's lifetime. The ~~four-year~~ five-year time period during which temporary license holders must obtain accredited Minnesota assessor (AMA) licensure under Minnesota Statutes, section 270C.9901, begins on the date the temporary license is issued.

## 1950.1040 CERTIFIED MINNESOTA ASSESSOR SPECIALIST (CMAS).

~~A local assessor employed by a township or city shown on the "List of License Levels for Minnesota Taxing Jurisdictions" under the heading "Certified Specialist" must obtain licensure as a certified Minnesota assessor specialist. Requirements to initially obtain licensure as a certified Minnesota assessor specialist are given in items A to E.~~

*[For text of items A to E, see Minnesota Rules]*

## 1950.1050 ACCREDITED MINNESOTA ASSESSOR (AMA).

A local assessor employed by a township or city shown on the "List of Assessor License Levels for Minnesota Taxing Jurisdictions" under the heading "Accredited" must obtain licensure as an accredited Minnesota assessor. Requirements to initially obtain licensure as an accredited Minnesota assessor are given in items A to D.

A. A certified Minnesota assessor license or meeting the requirements for licensure as a certified Minnesota assessor, plus:

(1) a passing grade in two board-approved income courses with a board-specified minimum number of hours of instruction; and

# Proposed Rules

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~~(2) a passing grade in a board-approved assessment administration course with a board-specified minimum number of hours of instruction;~~

~~(3) a passing grade in 30 hours of elective courses approved by the board; and~~

~~(4) completion of a board-approved 15-hour seminar on Uniform Standards of Professional Appraisal Practice no more than five years before applying for an initial accredited Minnesota assessor license. If the seminar was taken more than five years before applying for an initial accredited Minnesota assessor license, the applicant must take the current year Uniform Standards of Professional Appraisal Practice seven-hour update class.~~

(2) a passing grade on a board-approved course with a minimum of 15 hours of instruction on the assessment of a particular type of property, such as multiunit residential property, agricultural property, lakeshore property, or new construction.

B. A passing grade on one demonstration narrative appraisal, completed no more than five years prior to the date it is submitted for grading. In lieu of this narrative appraisal, the applicant may substitute:

*[For text of subitems (1) and (2), see Minnesota Rules]*

(3) obtaining the designation of assessment administrative specialist (AAS) or mass appraisal specialist (MAS) from the International Association of Assessing Officers;

*[For text of subitems (4) and (5), see Minnesota Rules]*

*[For text of items C and D, see Minnesota Rules]*

## 1950.1060 SENIOR ACCREDITED MINNESOTA ASSESSOR (SAMA).

Subpart 1. [See repealer.]

Subp. 2. **Specific requirements for SAMA.** Requirements to initially obtain licensure as a senior accredited Minnesota assessor are given in items A to E.

*[For text of items A and B, see Minnesota Rules]*

C. A passing grade in a board-approved assessment administration course with a minimum of 30 hours of instruction.

D. Completion of board-approved management and leadership courses with a minimum of 30 hours of instruction.

~~E. E.~~ Five years of assessment experience.

~~D. F.~~ Completion of an interview with the board that demonstrates the applicant's knowledge, understanding, and application of appraisal standards.

~~E. G.~~ Application to the board, and the appropriate fee.

Subp. 3. [Repealed, 18 SR 1442]

Subp. 4. [Repealed, 18 SR 1442]

Subp. 5. [Repealed, 18 SR 1442]

Subp. 6. [Repealed, 29 SR 1450]

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# Proposed Rules

## 1950.1080 CONTINUING EDUCATION.

*[For text of subpart 1, see Minnesota Rules]*

Subp. 2. **Basis of continuing education hours.** Continuing education hours are given in three general categories.

A. Educational courses or seminars ~~with a minimum of three hours of instruction~~ in assessment or appraisal subjects are eligible for continuing education hours. The sponsor of such courses may apply to the board for continuing education hours approval, or the recipient of the instruction may apply either before or after the course has been given. One continuing education hour is given for each instructional hour.

*[For text of items B and C, see Minnesota Rules]*

*[For text of subparts 3 to 6, see Minnesota Rules]*

**REPEALER.** Minnesota Rules, parts 1950.1020, subparts 3 and 3a; and 1950.1060, subpart 1, are repealed.

## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

**KEY: Proposed Rules** - Underlining indicates additions to existing rule language. ~~Strikeouts~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."  
**Adopted Rules** - Underlining indicates additions to proposed rule language. Strikeout indicates deletions from proposed rule language.

## Department of Labor and Industry

### Adopted Permanent Rules Adopting Changes to the Mechanical and Fuel Code

The rules proposed and published at State Register, Volume 44, Number 18, pages 519-522, October 28, 2019 (44 SR 519), are adopted with the following modifications:

#### 1346.0401 SECTION 401 GENERAL.

Subpart 1. **Section 401.2.** IMC section 401.2, Ventilation required, is amended and subsections added to read as follows:

**401.2 Ventilation required.** Every occupied space other than residential buildings constructed in accordance with the IRC and dwelling units Group R-2, R-3, and R-4 occupancies three stories and less in height shall be ventilated by natural means in accordance with section 402 or by mechanical ventilation in accordance with section 403. Ambulatory care facilities and Group I-2 occupancies shall be ventilated by mechanical means in accordance with section 407.

#### 401.2.1 Ventilation in IRC buildings.

**Exception:** Ventilation in ~~dwelling units and residential buildings~~ constructed in accordance with the IRC shall comply with ASHRAE 62.2 ~~Ventilation and Acceptable Indoor Air Quality in Low-Rise Residential Buildings~~ or Minnesota Rules, chapter 1322.

# Adopted Rules

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**401.2.2 Ventilation in Group R-2, R-3, and R-4 occupancies three stories and less in height.** Ventilation in Group R-2, R-3, and R-4 occupancies three stories and less in height shall be provided with a balanced ventilation system and shall comply with the fan efficacy requirements located in Minnesota Rules, chapter 1322, and the ventilation requirements in (1) Minnesota Rules, chapter 1322, or (2) ASHRAE 62.2 Ventilation and Acceptable Indoor Air Quality in Residential Buildings.

**401.2.3 Ventilation in Group R-2, R-3, and R-4 occupancies more than three stories in height.** Ventilation in Group R-2, R-3, and R-4 occupancies more than three stories in height above grade plane shall comply with ventilation requirements of section 402, section 403, or ASHRAE 62.2 Ventilation and Acceptable Indoor Air Quality in Residential Buildings.

## **1346.0403 MECHANICAL VENTILATION.**

Subpart 1. **Section 403.1 Ventilation system.** IMC section 403.1 is amended to read as follows:

**403.1 Ventilation system.** Mechanical ventilation shall be provided by a method of supply air and return or exhaust air. The amount of supply air shall be approximately equal to the amount of return and exhaust air. The system shall not be prohibited from producing negative or positive pressure. The system to convey ventilation air shall be designed and installed in accordance with chapter 6.

Subp. 2. **Section 403.3 Outdoor air and local exhaust airflow rates.** IMC section 403.3 is amended to read as follows:

**403.3 Outdoor air and local exhaust airflow rates.** Group R-2, R-3, and R-4 occupancies three stories and less in height above grade plane shall be provided with outdoor air and local exhaust in accordance with section 401.2.2. Other buildings intended to be occupied shall be provided with outdoor air and local exhaust in accordance with section 403.3.1.

Subp. 3. **Sections 403.3.2 to 403.3.2.5.** IMC sections 403.3.2 to 403.3.2.5 are deleted in their entirety.

## **1346.0508 SECTION 508 COMMERCIAL KITCHEN MAKEUP AIR.**

Subpart 1. **Section 508.1.** IMC section 508.1 is amended to read as follows:

**508.1 Makeup air.** Makeup air shall be supplied during the operation of commercial kitchen exhaust systems that are provided for commercial kitchen appliances. The amount of makeup air supplied to the building from all sources shall be approximately equal to the exhaust air for all exhaust systems for the building. The makeup air shall not reduce the effectiveness of the exhaust system. Makeup air shall be provided by ~~gravity or mechanical means or both~~ and the exhaust and makeup air systems shall be electrically interlocked to insure that makeup air is provided whenever the exhaust system is in operation. ~~Mechanical makeup air systems shall be automatically controlled to start and operate simultaneously with the exhaust system.~~ Makeup air intake openings shall comply with IMC section 401.4.

**508.1.1 Makeup air temperature.** Makeup air shall be not less than 50°F (10°C), measured at the flow of air from the supply diffuser into the space.

**508.1.2 Makeup and ventilation air distribution.** Makeup and ventilation air supply diffusers located within 12 feet (3.7 m) of an exhaust hood shall be directed away from the hood.

**Exception:** Perimeter perforated supply plenums installed in accordance with the manufacturer's installation instructions.

# Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Emergency Executive Order 20-14: Suspending Evictions and Writs of Recovery During the COVID-19 Peacetime Emergency

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

In Minnesota Statutes 2019, section 12.02, subdivision 1(2), the Minnesota Legislature recognized the “existing and increasing possibility of the occurrence of natural and other disasters of major size and destructiveness” and conferred upon the Governor the emergency and disaster powers provided in Chapter 12 to “ensure the preparations of this state will be adequate to deal with disasters” to “generally protect the public peace, health, and safety” and to “preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor.

Housing insecurity because of involuntary unemployment, extended sickness, or required quarantine as a result of a public health emergency in Minnesota is a subject of general concern. Losing a home is catastrophic at any time, and during the COVID-19 peacetime emergency in particular, losing housing endangers the public peace, health, and safety of all Minnesotans. Public health and safety are promoted by stabilizing households which, through no fault of their own, may suddenly have the inability to afford rent. Providing a temporary moratorium on eviction actions allows these households to remain stably housed as they safeguard the health of themselves, their families, and other Minnesotans. Current laws and rules do not allow for cessation of notices to terminate tenancies, eviction actions, or issuing of writs of recovery during the COVID-19 pandemic.

On March 18, 2020, the President announced that the U.S. Department of Housing and Urban Development will suspend all foreclosures and evictions until April 30, 2020. As of March 18, 2020, more than 24 other states, counties, cities, and judicial districts across the nation had issued directives suspending evictions. Restricting evictions is a vital tool to keep Minnesotans in their homes to mitigate the community spread of COVID-19 in Minnesota and nationwide.

For these reasons, I order as follows:

# Executive Orders

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1. Beginning no later than March 24, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, for property owners, mortgage holders, or other persons entitled to recover residential premises after March 1, 2020 because a household remains in the property after a notice of termination of lease, after the termination of the redemption period for a residential foreclosure, after a residential lease has been breached, or after nonpayment of rent, the ability to file an eviction action under Minnesota Statutes 2019, section 504B.285 or 504B.291 is suspended. This suspension will allow households to remain sheltered during the peacetime emergency. Nothing in this Executive Order relieves a tenant's obligation to pay rent. This suspension does not include eviction actions based on cases where the tenant seriously endangers the safety of other residents or for violations of Minnesota Statutes 2019, section 504B.171, subdivision 1.
2. Beginning no later than March 24, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all residential landlords must cease terminating residential leases during the pendency of the emergency, except where the termination is due to the tenant seriously endangering the safety of other residents or for violations of Minnesota Statutes 2019, section 504B.171, subdivision 1.
3. Beginning no later than March 24, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all officers who hold a writ of recovery of premises and order to vacate must cease executing such writs as required by Minnesota Statutes 2019, section 504B.365, subdivision 1, with the exception of writs of recovery designated as a priority execution under Minnesota Statutes 2019, section 504B.365, subdivision 2, for any order to vacate that is based on an eviction under Minnesota Statutes 2019, section 504B.171, or on the basis that the tenant seriously endangered the safety of other residents.
4. Financial institutions holding home mortgages are requested to implement an immediate moratorium on all pending and future foreclosures and related evictions when the foreclosure or foreclosure-related eviction arises out of a substantial decrease in income or substantial out of pocket medical expenses caused by the COVID-19 pandemic, or any local, state or federal governmental response to COVID-19. Financial institutions are also strongly urged not to impose late fees or other penalties for late mortgage payments related to the COVID-19 pandemic.
5. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates paragraphs 1, 2, or 3 of this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000, or by imprisonment for not more than 90 days. The Attorney General may also seek any relief available pursuant to Minnesota Statutes 2019, section 8.31.
6. This Executive Order does not apply to properties on federal tribal trust land.
7. Nothing in this Executive Order shall in any way restrict state or local authority to order any quarantine, isolation, or other public health measure that may compel an individual to remain physically present in a particular residential real property.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 23, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 23, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-15: Providing Immediate Relief to Small Businesses During the COVID-19 Peacetime Emergency

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Small businesses are vital economic engines in Minnesota. But certain public accommodations, especially small businesses, where Minnesotans congregate pose a threat to the public health by providing environments for the spread of COVID-19. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. This development required Minnesota to take additional proactive measures. As such, thousands of small businesses were closed directly or indirectly by Executive Orders 20-04 and 20-08, which were issued as proactive measures to slow the spread of the COVID-19 pandemic. Small businesses rely on their business for personal income. Loans for small businesses, especially during an emergency, provide access to basic necessities, safeguard the health of their owners, their families, and other Minnesotans, and provide vital economic support to help overcome temporary revenue losses. Currently, resources are available for such a program, but law and regulations prevent the Department of Employment and Economic Development (“DEED”) from providing immediate relief to small businesses during the COVID-19 pandemic.

For these reasons, I order as follows:

1. Effective immediately, I direct DEED to develop a forgivable loan program to award grants to nonprofit

# Executive Orders

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corporations to fund forgivable loans to small businesses (the “Small Business Emergency Loan Program”), regardless of such business’s organizational form (*i.e.*, independent contractor, sole proprietorship, limited liability company, etc.).

2. Under the Small Business Emergency Loan Program, nonprofit corporation lenders participating in the loan program under Minnesota Statutes 2019, Chapter 116M will be allowed to make zero percent interest loans during the period of emergency.
3. Any business will be able to receive a loan through the Small Business Emergency Loan Program at the discretion of the DEED Commissioner. The business must demonstrate to the lender that it was directly and adversely affected by the COVID-19 peacetime emergency Executive Orders 20-04 and 20-08. Under the Small Business Emergency Loan Program, small businesses are required to have claimed all applicable private insurance and utilized all other sources of applicable assistance available from other private and public sources.
  - a. The minimum loan is \$2,500 and the maximum is \$35,000.
  - b. No matching contribution is required.
  - c. A nonprofit corporation that receives funds under the Small Business Emergency Loan Program may not use such funds to provide a loan to a related business.
  - d. The loan must not be used to refinance debt that existed at the time of the COVID-19 peacetime emergency declaration.
  - e. If additional financing is received from other sources, the Small Business Emergency Loan Program funds will be repaid to DEED in an expeditious manner.
  - f. Loan applications received during the COVID-19 peacetime emergency declaration will be eligible to be approved under these conditions.
4. On the placing of a loan under the Small Business Emergency Loan Program, money equal to ten percent of the loan must be paid to the lender for the purpose of financing administrative costs.
5. Up to 50 percent of a loan may be forgiven if the DEED Commissioner approves and the business remains operating in the community at substantially the same levels for two years following loan disbursement.
6. The DEED Commissioner is further authorized to accept applications from additional nonprofit corporation lenders to administer loans in the Small Business Emergency Loan Program.
7. The DEED Commissioner is also authorized to make loans to eligible businesses under the Small Business Emergency Loan Program if demand exceeds capacity of approved lenders.
8. Lenders participating in the Small Business Emergency Loan Program must provide quarterly reports of small business emergency loans to the DEED Commissioner that includes a description of businesses supported by the program, an accounting of the loans made during the quarter, the source and amount of money collected and distributed by the program, the program’s assets and liabilities, and an explanation of administrative expenses.
9. Notwithstanding Minnesota Statutes 2019, sections 116J.423 and 116J.8731, to ensure that adequate funds are available to make loans, I direct the DEED Commissioner to transfer up to a total of \$30 million from the special accounts of the 21st Century Fund and Minnesota Investment Fund to meet business demand under the Small Business Emergency Loan Program.

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# Executive Orders

10. Effective immediately, in an effort to make more resources available to businesses impacted by the COVID-19 peacetime emergency, any local unit of government or lending partner that has revolving loan funds that were provided by the State Minnesota Investment Fund program appropriations or Minnesota Investment Fund Disaster program appropriations, may over the next 90 days issue loans to retail and service providers.
11. Because strict compliance with Minnesota Statutes 2019, Chapters 16A, 16C, and associated rules and policies will limit DEED's ability to move swiftly in deploying resources, DEED is hereby permitted to avoid strict compliance with Minnesota Statutes 2019, Chapters 16A and 16C.
12. Because strict compliance with Minnesota Statutes 2019, sections 116J.423 and 116J.8731, will prevent, hinder, or delay necessary action under this Executive Order, those provisions, and any other provisions in Minnesota Statutes or Rules that are inconsistent with this Executive Order, are waived and suspended during the peacetime emergency declared in Executive Order 20-01.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 23, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 23, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-16: Directing Non-Hospital Entities to Inventory and Preserve Vital Medical Equipment During the COVID-19 Peacetime Emergency

**I, Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers "in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally

# Executive Orders

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protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12.

Confirmed cases of COVID-19 in Minnesota are rapidly increasing and risk overwhelming the healthcare system. On March 17, 2020, the Centers for Disease Control and Prevention recommended delaying elective inpatient and outpatient surgeries and procedures, which include dental procedures. On March 18, 2020, the Centers for Medicare and Medicaid Services (“CMS”) issued similar guidance. CMS recognized that conservation of critical resources such as personal protective equipment (“PPE”) is essential to aggressively address the COVID-19 pandemic. On March 19, 2020, I issued Executive Order 20-09 directing delay of elective surgery and procedural cases during the COVID-19 Peacetime Emergency in part to conserve critical PPE.

Medical professionals and epidemiological experts agree that adequate PPE and medical equipment, including respirators and ventilators, are critical to protecting patients and medical staff to prevent the spread of COVID-19. In this context, the Governors of Colorado and Oregon have recently issued executive orders instructing organizations in their states to identify PPE, respirators, ventilators, and other vital equipment.

We must take similar steps to identify and preserve the available PPE and other equipment in Minnesota to protect health care personnel while they treat individuals with COVID-19 and others receiving critical care. It is impossible to anticipate how many people will need hospital care in the coming weeks, but it is certain that there will be a strain on the existing supply of medical equipment and uncertainty about the suppliers’ ability to quickly meet our needs.

Many Minnesotans have already generously donated PPE and other equipment to local coordinating entities for use in delivering critical health care services and they continue to do so in response to this pressing need.

To ensure that Minnesota healthcare facilities have the capacity to treat patients, it is critical to account for PPE and other vital medical equipment that exists in Minnesota outside of hospitals.

For these reasons, I order as follows:

1. Any Minnesota business, nonprofit, or non-hospital health care facility, whether veterinary, dental, construction, research, institution of higher learning, or other, in possession of PPE, ventilators, respirators, or anesthesia machines (including any consumable accessories to these devices) that are not required for the provision of critical health care services or essential services and were not produced by the organization for the purpose of sale, must undertake an inventory of such supplies no later than March 25, 2020.
2. Any Minnesota business, nonprofit, or non-hospital health care facility must submit this inventory using the form emailed to them for this purpose or available at: <https://mn.gov/ppe>
3. Any Minnesota business, nonprofit, or non-hospital health care facility must refrain from using any such consumable equipment other than for use in delivering critical health care services or essential services requiring such equipment, and must either donate it to a local coordinating entity or prepare for the possibility of being asked to donate or sell it for use by critical health care workers.
4. The following entities are not subject to this Executive Order:
  - a. Nursing homes.
  - b. Any facility that currently provides inventory information into the MnTrac system.
5. Notwithstanding any statute or rule to the contrary, information supplied under this Executive Order will be classified as nonpublic data and remain classified as such until the end of the peacetime emergency declared in Executive Order 20-01.

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# Executive Orders

6. Individuals, businesses, and other entities wishing to offer services, supplies, or materials for potential COVID-19 emergency response activities are encouraged to follow the guidance available at:  
<https://mn.gov/ppe>

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, this Executive Order is effective immediately. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 23, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

## Office of the Governor

### Emergency Executive Order 20-17: Clarifying Application of Executive Order 20-09 to Veterinary Surgeries and Procedures

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

On March 19, 2020, I issued Executive Order 20-09 directing the postponement of non-essential or elective surgeries and procedures that use PPE or ventilators (“Executive Order 20-09”). Questions have arisen regarding the applicability of Executive Order 20-09 to veterinary medicine. Veterinary procedures use equipment, particularly personal protective equipment (“PPE”), which is vital to stop the spread of COVID-19.

For these reasons, I order as follows:

1. Paragraph 1 of Executive Order 20-09 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethroughs):

Beginning no later than March 23, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all non-essential or elective surgeries and procedures, ~~including non-emergent or elective dental care, whether medical, dental, or veterinary,~~ that utilize PPE or ventilators must be postponed indefinitely.

2. Paragraph 2 of Executive Order 20-09 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethroughs):

A non-essential surgery or procedure is a surgery or procedure that can be delayed without undue risk to the current or future health of a patient. Examples of criteria to consider in making this determination include:

- a. Threat to the patient’s life if surgery or procedure is not performed.

# Executive Orders

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- b. Threat of permanent dysfunction of an extremity or organ system, including teeth and jaws.
  - c. Risk of metastasis or progression of staging.
  - d. In the context of veterinary medicine, threats to public health, threats to the health or safety of the animal's owner (e.g., in the case of service animals), and threats to the health or safety of the animal may also be considered.
3. All other provisions of Executive Order 20-09 remain in effect.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 23, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 23, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-18: Continuing the Closure of Bars, Restaurants, and Other Places of Public Accommodation

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

On March 16, 2020, I issued Executive Order 20-04 ordering the closure of bars, restaurants, and other places of public accommodation ("Executive Order 20-04"). On March 18, 2020, I issued Executive Order 20-08 to clarify the term "spas" used in Paragraph 1.e. of Executive Order 20-04 by replacing that term with others.

Executive Order 20-04 closed places of public accommodation beginning no later than March 17, 2020 at 5:00 pm and continuing until March 27, 2020 at 5:00 pm. Executive Order 20-08 did not modify the end date for the closures.

Since the issuance of Executive Orders 20-04 and 20-08, the community spread of COVID-19 has continued to rapidly increase in Minnesota and the United States, as well as other parts of the world. In addition to widespread voluntary social distancing, closure of public accommodations remains an effective and necessary measure to slow the spread of COVID-19. Based upon observations of the community spread, allowing the public accommodations closure to expire on March 27, 2020 would be premature and undermine our successful collective efforts to slow the spread of this

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# Executive Orders

pandemic. An extension is necessary to protect the public health and safety of Minnesotans.

For these reasons, I order as follows:

1. The closure of bars, restaurants, and other public accommodations set forth in Executive Orders 20-04 and 20-08 is extended until May 1, 2020 at 5:00 pm.
2. The first sentence of paragraph 1 of Executive Order 20-04 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethroughs):

*Beginning no later than March 17, 2020 at 5:00 pm, and continuing until ~~March 27~~ May 1, 2020 at 5:00 pm, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:*

3. I further direct and clarify that places of public accommodation, which would otherwise be ordered closed, may stay open if they have been repurposed to exclusively provide services permitted under Paragraph 4 of Executive Order 20-04. For example, a gymnasium that has been repurposed to provide child care services is authorized to provide those essential services, subject to relevant licensing and other requirements, as well as applicable Minnesota Department of Health guidelines.
4. All other provisions of Executive Order 20-04 remain in effect, including the amendment made by Executive Order 20-08.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 25, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 25, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-19: Authorizing and Directing the Commissioner of Education to Implement a Distance Learning Period and Continue to Provide a Safe Learning Environment for Minnesota's Students

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

# Executive Orders

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The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

In Minnesota Statutes 2019, section 12.02, subdivision 1, the Minnesota Legislature recognized the “existing and increasing possibility of the occurrence of natural and other disasters of major size and destructiveness” and conferred upon the Governor the emergency and disaster powers provided in Chapter 12 to “ensure the preparations of this state will be adequate to deal with disasters” to “generally protect the public peace, health, and safety” and to “preserve the lives and property of the people of the state.”

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to subdivision 3 of the same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. Furthermore, under Minnesota Statutes 2019, section 12.21, subdivision 3, the Governor is permitted to authorize the Commissioner of the Minnesota Department of Education (“MDE”) “to alter school schedules, curtail school activities, or order schools closed.” When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

On March 15, 2020, I issued Executive Order 20-02, which directed schools to close to students and engage in a planning period from March 18, 2020 until March 27, 2020 (“Closure Period”). During this Closure Period, school and district staff were directed to report to work to construct continuity of education plans that would be delivered via distance learning or social distancing models compliant with Minnesota Department of Health guidance (“MDH Guidance”). In order to continue providing education for Minnesotan children while preserving the health, safety, and lives of Minnesotans, I am directing all public schools to implement distance learning plans, continue providing student meals, and provide onsite care to school-aged children of certain workers in Critical Sectors exempted under Executive Order 20-20 (“Eligible Children”).

We continue to recognize that schools are community hubs for children and families. School closures put burdens on children and families and disproportionately impact different communities. I greatly value the efforts of school staff to make sure that our students receive meals on a daily basis and to provide other services such as physical and mental health care supports virtually where possible. These services must continue.

On March 20, 2020, the U.S. Secretary of Education announced that students impacted by school closures due to the COVID-19 pandemic can bypass standardized statewide assessments for the 2019-20 school year. The U.S. Department of Education has made a waiver process available to any state that is unable to assess its students due to the ongoing national emergency, providing relief from federally mandated assessment requirements for this school year.

Student performance, as measured by statewide assessments, is required to be reported and used in federal and state accountability and reporting systems. Consistent with the current federal waiver opportunity and to protect students’ health and safety, Minnesota is cancelling its statewide assessments for the remainder of the 2019-20 school year. Minnesota has therefore submitted a request for a waiver of federal assessment requirements. Due to the national emergency, Minnesota’s federal waiver request also includes a waiver from the federal reporting requirements and the requirement that this assessment data be used in the accountability systems. Action must also be taken to provide relief from state accountability and reporting requirements.

Minnesotans rely on the care and services provided to children and families of Critical Sector workers as we navigate the COVID-19 pandemic and take care of one another. Educators, school employees providing care, and child care providers are themselves Critical Sector workers. Child care services will continue to be necessary for the essential functions of health care services, law enforcement, emergency response services, and other Critical Sectors.

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This peacetime emergency brings increased attention to the foundation child care providers provide for the health and the well-being of our state. The care that they provide children and families plays a critical role in our communities as we persevere through this pandemic. However, the health and the wellbeing of our children and their families is the top priority of the State and should a child care provider determine it cannot maintain public health guidance and safely meet the needs of children and staff, it should close. Educators and child care providers are the heroes we need to ensure that children are safe, allowing parents and guardians to provide critical care and emergency services to our communities.

For these reasons, I order as follows:

1. Nothing in this Executive Order should be construed to encourage or require Minnesotans in at-risk categories to act inconsistently with public health recommendations or the advice of their doctors. All Minnesotans should continue to regularly check and follow the advice on MDH's COVID-19 webpage: <https://www.health.state.mn.us/diseases/coronavirus/>
2. As planned, the closure period announced in Executive Order 20-02 will remain in place through March 27, 2020 ("Closure Period").
3. Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(11), I authorize and direct the Commissioner of Education to implement a distance learning period beginning on March 30, 2020 through May 4, 2020 ("Distance Learning Period").
4. The purpose of the Distance Learning Period is to provide continuity of education during the COVID-19 pandemic while also preserving the health, safety, and lives of Minnesota's students, educators, and the broader public.
5. During the Distance Learning Period, public school buildings and facilities must be closed for typical in-school instruction.
6. During the Distance Learning Period, all public schools must provide continuous education based on the distance learning plans developed during the Closure Period directed by Executive Order 20-02.
7. I authorize the Commissioner of Education, in consultation with the Commissioner of Health, to extend the Distance Learning Period for the remainder of the 2019-20 school year calendar if it is deemed necessary for the health and safety of students and staff.
8. This order applies to all schools as set forth in Minnesota Statutes 2019, section 12.12, subdivision 3(11). I continue to encourage tribal and nonpublic schools to fulfill the spirit and directives of this Executive Order.
9. During the Distance Learning Period and per applicable labor agreements, school districts and schools must allow for remote work or telework to the extent possible. To the extent that it is necessary for teachers and staff to be physically present in school buildings, school districts and schools must provide conditions for staff in compliance with MDH Guidance on social distancing.
10. Consistent with applicable labor agreements, districts must utilize available staff who are able to work during the Distance Learning Period. Districts must also provide employee accommodations as required by law.
11. For purposes of Minnesota Statutes 2019, section 126C.05, for the period from March 30 through April 30, 2020, schools may count the number of days originally scheduled as instructional days. Additionally, students participating in distance learning may be reported in attendance and membership for their originally scheduled days and hours.

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12. Staff will report to their respective school buildings on Friday, May 1, 2020, to plan and prepare for students' return to school buildings upon the end of the Distance Learning Period.
13. Upon approval by the Executive Council, for purposes of Minnesota Statutes 2019, section 126C.05, districts and schools may count May 1, 2020 and May 4, 2020 as instructional days, and enrolled students can be reported in attendance and membership.
14. Upon approval by the Executive Council, expenses for special education staff assigned to other work during the Closure Period and Distance Learning Period and expenses recorded in the food service fund may be charged to the same Uniform Financial Accounting and Reporting Standards codes to which the service is charged for an instructional day. The Commissioner of Education must notify school districts and charter schools of these formula changes as soon as practicable.
15. Subject to paragraph 1, schools and school districts, in cooperation with state agencies, are directed to support communities disproportionately impacted by the Closure Period and Distance Learning Period, including but not limited to, low-income families and families experiencing homelessness. During the Distance Learning Period, schools are expected to provide meals to their students. MDE will provide additional guidance to schools and school districts about this provision.
16. I direct state agencies to continue to work together to ensure continuity of mental health services to children and their families.
17. I direct MDE and MDH to continue to provide guidance throughout the Distance Learning Period to schools on best practices around distance learning and social distancing protocol.
18. During the Distance Learning Period, schools are directed to provide care, at a minimum, to district-enrolled students aged 12 and under who are Eligible Children. In providing this care, schools must practice hygiene and social distancing best practices. Schools are not required to provide this care during previously scheduled breaks reflected on a school-board approved calendar. I encourage schools and school districts to also provide extended care—before and after school hours—to Eligible Children. MDE will provide further guidance to schools, school districts, and the public about this provision.
19. Employers assigning employees to supervise and care for Eligible Children must ensure compliance with Minnesota Department of Labor and Industry regulations, and MDH Guidance regarding Schools and Child Care: Coronavirus Disease 2019 (COVID-19).
20. In the event that a school location is unable to provide adequate staffing for the care and supervision of Eligible Children due to high staff absenteeism due to illness or other reasons, they must review MDE guidance and contact MDE for further guidance on contracting with local child care providers.
21. Upon approval by the Executive Council, school districts and schools are authorized to transfer operating funds from certain programs that are not already assigned to or encumbered by staff salary and benefits, or otherwise encumbered by federal law, for the following purposes:
  - a. To provide care to Eligible Children during the school day.
  - b. To pay additional transportation costs incurred between March 30, 2020 and April 30, 2020 needed to implement this Executive Order in providing distance learning instruction.
  - c. A fund transfer is allowed if the transfer does not increase state aid obligations to the district or result in additional property tax authority for the district. A transfer is limited to the operating funds of a district. A school board must approve a fund transfer by the fiscal year reporting deadline. A district

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or school must maintain accounting records for the purpose of this Executive Order that are sufficient to document both the specific funds transferred and use of those funds. Such accounting records are subject to auditor review. Any execution of this flexibility must not interfere with or jeopardize funding per federal requirements. Any transfer must not interfere with the equitable delivery of distance learning or social distancing models. The Commissioner of Education must provide guidance on the fund balance transfers that are allowable for the purposes outlined above.

22. Upon approval by the Executive Council, districts and schools may use fiscal year 2020 (“FY 2020”) revenues from programs that are not already assigned to staff salary and benefits for the following purposes: to provide care to Eligible Children during the school day; and to pay additional transportation costs incurred between March 30, 2020 and April 30, 2020 needed to implement this Executive Order. The expanded revenue use in a program is allowed if it does not increase state aid obligations to the district and schools or result in additional property tax authority for the district other than what would be received under the statutory uses of the revenue in FY 2020. A school board must approve the use of FY 2020 revenue from operating funds of a district by the fiscal year reporting deadline. A district must maintain accounting records for the purpose of this Executive Order which may be reviewed by auditors and that are sufficient to document the specific use of those funds. The Commissioner of Education must provide guidance on the state revenue programs that may be used for the purposes outlined in this Executive Order.
23. The Children’s Cabinet will coordinate strategies to share information, including creating and posting online public health guidance specific to school and child care provider settings, managing questions from schools and child care providers through hotlines, and considering other needs.
24. Child care providers and school staff caring for Eligible Children should be placed on the state’s priority list for COVID-19 testing. This priority list will not guarantee imminent testing as capacity in testing shifts due to nationwide testing capacity limitations.
25. No supplier or business should limit or restrict reasonable orders of cleaning, hygiene, and sanitation supplies by child care providers who are serving Eligible Children as defined in this Executive Order and as provided by further guidance.
26. Upon approval by the Executive Council, I authorize and direct the Commissioner of Education to close any available open statewide assessments, effective 5:00 pm on Friday, March 27, 2020.
27. If the federal waiver application referenced above is approved by the U.S. Department of Education, I authorize the Commissioner of Education to determine how to best satisfy general school district reporting requirements for the 2019-20 school year, including the reporting and identification requirements of the NorthStar and World’s Best Workforce accountability systems. These decisions will include any future Minnesota legislative reports and the reporting requirements set forth in Minnesota Statutes 2019, sections 120B.11, 120B.30, 120B.31, 120B.35, 120B.36, 122A.414, 124D.59, 124D.98, 124D.861, 136F.302.
28. Schools and school districts unable to fully implement Minnesota Statutes 2019, section 120B.30, subdivision 1(e) due to school closures or the use of distance learning are exempt from this requirement for school year 2019-20. MDE will provide additional guidance to schools and school districts no later than the beginning of the 2020-21 school year.
29. Because there will be extremely limited assessment results, the Commissioner of Education should explore alternative federal reporting options, such as *EdFacts*, for the 2019-20 school year.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other

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provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 25, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 25, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-20: Directing Minnesotans to Stay at Home

**I, Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. On March 11, 2020, the World Health Organization (“WHO”) characterized the COVID-19 outbreak as a pandemic. Despite efforts to contain COVID-19, the WHO and the Centers for Disease Control (“CDC”) indicate that it is expected to spread. Confirmed cases of COVID-19 in Minnesota are rapidly increasing. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. By March 17, 2020, all fifty states had reported a confirmed case of COVID-19. By March 20, 2020, the CDC had confirmed more than 15,000 COVID-19 cases in the United States. And on March 21, 2020, the Minnesota Department of Health (“MDH”) announced the first confirmed fatality due to COVID-19 in Minnesota.

Community spread of COVID-19 in Minnesota and nationwide is increasing. As of March 24, 2020, Minnesota had 287 confirmed COVID-19 cases, with 35 hospitalizations. It is further expected that increased testing capacity would demonstrate that COVID-19 is circulating in communities across Minnesota that currently have not identified a confirmed case.

Minnesota has already taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. On March 15, 2020, I issued Executive Order 20-02 ordering the temporary closure of public schools. On March 16, 2020, I issued Executive Order 20-04 ordering the closure of bars, restaurants, and other places of public accommodation.

Recent developments, including the presence of community spread in Minnesota, the rapid increase in COVID-19 cases both globally and in Minnesota, and the first COVID-19 related death in our state, require Minnesota to take additional proactive measures to slow the spread of this pandemic. Slowing the community spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

This Executive Order is consistent with a growing nationwide effort to contain the spread of COVID-19. On March 16, 2020, President Donald Trump issued guidelines to limit gatherings of more than 10 people. As of March 24, 2020,

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twenty-four states representing almost 200 million Americans have issued orders or public health directives closing non-essential businesses or limiting residents from participating in non-essential activities. Limiting activities to only those which are most essential and practicing social distancing at all times are vital tools required to mitigate the community spread of COVID-19 in Minnesota and nationwide.

On March 23, 2020, the U.S. Department of Homeland Security issued Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response (“CISA Guidance”—attached to, and incorporated into, this Executive Order). The CISA Guidance identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability. This federal guidance provides a baseline for Minnesota’s efforts to ensure critical infrastructure and services are maintained while slowing the spread of COVID-19.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act.

Minnesota Statutes 2019, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation . . .” including “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings . . .” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days.

For these reasons, I order as follows:

1. Beginning on Friday, March 27, 2020 at 11:59 pm through Friday, April 10, 2020 at 5:00 pm, all persons currently living within the State of Minnesota are ordered to stay at home or in their place of residence except to engage in the Activities and Critical Sector work set forth below in Paragraphs 5 and 6.
2. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities, to the extent they are used for lodging.
3. This Executive Order does not restrict virtual work or telework (*i.e.* work from home), and Minnesotans working in any field are encouraged to work from their home or residence as much as possible.
4. **Definitions.** As used in this Executive Order, “workers” and “personnel” are broadly defined to include employees, contractors, vendors, and volunteers. As used in this Executive Order, “Critical Sectors” is defined to include the categories found in the CISA Guidance and the additional categories listed below.
5. **Exemptions – Activities.** Minnesotans may leave their homes or residences to engage in the following activities, provided that all persons follow the guidelines set forth and maintained by the Minnesota Department of Health (“MDH Guidelines”), including but not limited to social distancing, to the maximum extent possible. This list of Activities may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. Clarifications will be available for public review at: <https://www.health.state.mn.us/diseases/coronavirus/>
  - a. **Relocation to ensure safety.** Individuals whose homes or residences are unsafe or become unsafe, including individuals who have suffered or are at risk of domestic violence or for whom the safety,

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sanitation or essential operations of the home or residence cannot be maintained, are allowed and urged to leave their home or residence and relocate to a safe alternative home or residence.

- b. Health and safety activities.** Individuals may seek emergency services, obtain medical services, supplies, and medications, and visit a health care or dental professional or facility, or a veterinarian. Individuals may also donate blood.
  - c. Outdoor activities.** Individuals may engage in outdoor activities (*e.g.*, walking, hiking, running, biking, driving for pleasure, hunting, or fishing), and may go to available public parks and other public recreation lands, consistent with remaining at least six feet apart from individuals from other households. This does not exempt public accommodations that may feature outdoor activities from closure under Executive Order 20-04 and does not permit trespass upon private property.
  - d. Necessary supplies and services.** Individuals may obtain food, including delivery or carry-out services, beverages (alcoholic and non-alcoholic), and other grocery items, gasoline, supplies needed to work from home, and products needed to maintain the safety, sanitation, and essential operation of homes and residences, businesses, and personally owned vehicles, including automobiles and bicycles. Individuals may also visit and use the services of laundromats and dry cleaners.
  - e. Essential intrastate and interstate travel.** Individuals may travel to exempted activities and may travel to return to a home or place of residence. Individuals may also travel into and out of Minnesota.
  - f. Care of others.** Individuals may care for a family member, friend, or pet in another household, and may transport family members, friends, or pets as allowed by this Executive Order, including the transport of children pursuant to existing parenting time schedules or other visitation schedules pertaining to a child in need of protective services (“CHIPS”) proceeding.
  - g. Displacement.** Individuals without a home are exempt from the restrictions in this Executive Order, and they may move between emergency shelters, drop-in centers, and encampments. Encampments should not be subject to sweeps or disbandment by state or local governments, as such sweeps or disbandment increase the potential risk and spread of COVID-19.
  - h. Tribal Activities & Lands.**

    - i. Activities by tribal members within the boundaries of their tribal reservations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
    - ii. Activities within the boundaries of federal land held in trust for one of the 11 Minnesota Tribal Nations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
    - iii. Activities by tribal members to exercise their federal treaty rights within the boundaries of their treaty territory (also known as “ceded territory”) are exempt from the restrictions in this Executive Order but may be subject to restrictions by applicable tribal authorities.
    - iv. Tribal members may travel to and from their tribal reservations in accordance with applicable tribal law.
- 6. Exemptions – Critical Sectors. All workers who can work from home must do so.** Workers in the following Critical Sectors, who are performing work that cannot be done at their home or residence through telework or virtual work and can be done only at a place of work outside of their home or residence, are exempted from the prohibition in paragraph 1 as set forth below. **These critical services exemptions apply only to travel to and from an individual’s home or residence and place of work and an individual’s**

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**performance of work duties that cannot be done at their homes or residence. Travel may include transportation to and from child care or school settings as necessary to ensure the safe care of children.** This list of Critical Sectors may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. Clarifications will be available for public review at: <http://mn.gov/deed/critical/>

- a. **Healthcare and public health.** This category is limited to:
  - i. Healthcare and public health workers listed in the CISA Guidance.
  - ii. Providers of, and workers supporting, reproductive health care, childbirth services, mental health care, and substance use treatment.
  - iii. Workers supporting manufacturers, technicians, logistics and warehouse operators, and distributors of personal care, hygiene, and healthcare products.
  - iv. Workers providing home care and human services workers from government or non-profit providers who are delivering food, prescriptions, case management services, mental health and substance abuse therapy, or who are otherwise caring for a client.
  - v. Workers providing or supporting home-based care for adults, seniors, and children, including but not limited to people who are blind, deaf, deafblind, or hard of hearing and people with disabilities, including physical disabilities, developmental disabilities, intellectual disabilities, substance use disorders, or mental illness. This includes workers who must travel to a person's home to provide care or other in-home services including meal delivery and one-on-one interpreting services for people who are blind, deaf, deafblind, or hard of hearing. This includes personal care attendants, paid employees of government and non-profit providers, or volunteers representing government and non-profit providers.

As applicable, such healthcare and public health workers are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17.

- b. **Law enforcement, public safety, and first responders.** This category is limited to law enforcement and public safety workers and first responders listed in the CISA Guidance, including all corrections personnel, state and county probation officers, and supervision agents, in addition to victims' advocates, animal control officers, humane officers, and all workers who support electronic security and life-safety services.
- c. **Food and agriculture.** This category is limited to food and agriculture workers listed in the CISA Guidance, including agricultural equipment repair services. For clarity, and for the purposes of this Executive Order, references to "beverages" include alcoholic beverages. The restrictions on restaurants, bars, and other places of public accommodation adopted in Executive Orders 20-04 and 20-18 remain in effect.
- d. **Energy.** This category is limited to energy workers listed in the CISA Guidance.
- e. **Water and wastewater.** This category is limited to water and wastewater workers listed in the CISA Guidance, including State Parks workers who maintain water and wastewater infrastructure, in addition to workers who perform work related to residential wells and septic tanks, and workers who supply bottled water or home filtration systems in areas where that is a health necessity.
- f. **Transportation and logistics.** This category is limited to the transportation and logistics workers listed in the CISA Guidance, in addition to:

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- i. State, county, and local government agencies and agency workers, as well as private sector workers, who support or enable transportation functions, including engineers, dispatchers, maintenance and repair technicians (including workers at maintenance and repair shops), warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel).
  - ii. Workers engaged in roadway construction, maintenance, and utility projects.
  - iii. Public transit workers.
  - iv. Bicycle shops and distribution facilities.
  - v. Automobile sales that are necessary to allow for essential travel, when conducted by appointment, and only when CDC and MDH guidelines, including social distancing, can be met.
- g. **Public Works.** This category is limited to public works workers listed in the CISA Guidance, in addition to construction material suppliers and workers providing services necessary to maintain construction material sources.
- h. **Communications and information technology.** This category is limited to communications and information technology workers listed in the CISA Guidance, in addition to all workers who support news services of all kinds, including newspapers, radio, television, and other forms of news media.
- i. **Other community-based government operations and essential functions.** This category is limited to the other community-based and government essential functions listed in the CISA Guidance, in addition to workers who support the following functions and services:
- i. Election support services and election administration workers
  - ii. Housing, shelter, and homelessness-prevention staff of state and local agencies and organizations responsible for ensuring safe and stable housing, including workers from state and local agencies and organizations with responsibility for ensuring safe and stable housing; shelter outreach or drop-in center programs; financing affordable housing; and administering rent subsidies, homeless interventions, operating supports, and similar supports. This includes workers necessary to provide repairs, maintenance, and operations support to residential dwellings.
  - iii. Workers performing all other governmental functions which are necessary to ensure the health, safety, and welfare of the public, to preserve the essential elements of the financial system of government, and to continue priority services as determined by a political subdivision of the State. All political subdivisions of the State will determine the minimum personnel necessary to maintain these governmental operations.
  - iv. Workers supporting building code enforcement necessary to maintain public safety and health of essential infrastructure and any construction as required in response to the COVID-19 peacetime emergency including but not limited to construction of health care facilities and essential businesses and services, or construction as required for emergency repairs and safety purposes.
- j. **Critical manufacturing.** This category is limited to critical manufacturing workers listed in the CISA Guidance. This category includes iron ore mining and processing operations and supplier/vendor industries essential to such mining and processing operations.

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- k. **Hazardous materials.** This category is limited to hazardous materials workers listed in the CISA Guidance.
- l. **Financial services.** This category includes workers at banks, credit unions, insurance companies, insurance agencies, and other financial services workers identified in the CISA Guidance.
- m. **Chemical.** This category is limited to chemical workers listed in the CISA Guidance.
- n. **Defense industrial base.** This category is limited to defense industrial base workers listed in the CISA Guidance.
- o. **Tribal Governments.** Tribal officers and workers deemed essential by the relevant Tribal government, regardless of residence.
- p. **The Judicial Branch.** This category is limited to judicial officers and personnel deemed essential by the Chief Justice to ensure the continued operations of Minnesota's court system.
- q. **The Executive Branch.** This category is limited to personnel deemed necessary to continue priority services of executive branch agencies, offices, departments, divisions, boards, bureaus, councils, committees, institutions, authorities, and commissions, as well as, the Minnesota State Colleges and Universities system, Minnesota State Retirement System, Public Employees Retirement Association, and Teacher's Retirement Association, as determined by the Commissioner of Management and Budget in consultation with those agencies and entities.
- r. **Executive Constitutional Offices.** This category is limited to Constitutional Officers and personnel deemed essential by the applicable Constitutional Officer to ensure the continued operations of the Constitutional Office.
- s. **The Legislative Branch.** This category is limited to personnel deemed essential by the presiding officers of each body.
- t. **Federal Employees.** Nothing in this Executive Order will be construed to limit, prohibit, or restrict in any way the operations of the federal government, or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial, legislative, and executive staff and personnel.
- u. **National Guard.** This category is limited to National Guard members that are on orders, to include state active duty, Title 32, or Title 10 orders and members in an Inactive Duty for Training status. At the discretion of the Adjutant General, this category also includes full-time staff of the Minnesota National Guard or Department of Military Affairs that are necessary for the execution of the National Guard's mission.
- v. **Faith leaders and workers.** This category includes officials, workers, and leaders in houses of worship and other places of religious expression or fellowship, wherever their services may be needed. This category also includes workers necessary to plan, record, and distribute online or broadcast content to community members.
- w. **Education.** Educators and other workers supporting public and private schools, as well as higher education (*e.g.*, colleges and universities). This category includes educators and other workers providing care to children as provided by Executive Order 20-19. Executive Order 20-02 remains in effect.
- x. **Construction and critical trades.** This category includes workers in the skilled trades such as electricians, plumbers, HVAC and elevator technicians, and other related construction of all

# Executive Orders

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kind. This category also includes exterminators, cleaning and janitorial staff for commercial and governmental properties, moving and relocation services, security staff, operating engineers, and all other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of homes and residences and the Critical Sectors listed in this Executive Order.

- y. **Child care providers.** This category includes workers in child care centers, family child care, schools, and other facilities. Such providers are encouraged to remain open to provide child care services for workers in the Critical Sectors listed in this Executive Order as possible and insofar as public health guidance can be followed. This category also applies to individuals providing child care for Critical Sector workers in a personal home, such as family, friend, and neighbor care required for Critical Sector workers to continue to perform their duties.
- z. **Hotels, residential facilities and shelters.** This category includes workers supporting hotels and motels, facilities and shelters for adults, seniors, and children, including victims of domestic violence, people with developmental disabilities, intellectual disabilities, substance abuse disorders, or mental illness. Such facilities and shelters include halfway houses and residential treatment programs. This category also includes workers needed to keep apartment complex buildings and other congregate residences or homes operational and sanitary.
- aa. **Shelters for displaced individuals.** This category is limited to workers supporting emergency shelters, drop-in centers, and encampments, as well as outreach workers. Governmental and other entities are strongly urged to make 24-hour shelter available as soon as possible, to the maximum extent practicable, and in compliance with CDC guidance.
- bb. **Charitable and social services organizations.** This category is limited to workers supporting organizations that are engaged in hunger relief work, and those that provide food, shelter, prescription delivery, mental health and substance abuse treatments, and other social services, as well as other necessities of life for individuals in need of such services, older adults who live alone, people with disabilities, and those who need assistance as a result of this emergency.
- cc. **Legal services.** This category is limited to workers who are necessary to provide essential legal services. Essential legal services include:
  - i. Advice and representation needed to aid the delivery of all critical government services.
  - ii. Advice and representation required to ensure the immediate and critical health, safety, and liberties of Minnesotans, including but not limited to, end-of-life planning, immigration, essential services to elders and persons with disabilities, child supports, child-protection and domestic abuse matters, protection of personal financial resources necessary to meet basic needs, prosecution or defense in ongoing criminal matters, or all matters in which individuals are held in custody pending a legal proceeding, and proceedings held in the district or appellate courts during the effective period of this order.
  - iii. Advice and representation related to the continuation of the Critical Sectors identified in this Executive Order, including ensuring compliance with this Executive Order, previous Executive Orders, and all applicable laws, rules, and regulations applying to Critical Sectors.
  - iv. Supporting housing and shelter-related efforts, including loan applications, loan processing, seeking temporary relief from residential and commercial loan or lease provisions, retention of gas, electric, or water utility services, and seeking temporary relief from residential evictions or foreclosures, or other actions intended to keep people

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# Executive Orders

in their homes.

- dd. **Notaries.** This category is limited to notaries performing services that cannot be deferred and which cannot be accomplished via remote services under Minnesota Statutes 2019, section 358.645.
  - ee. **Critical Labor Union Functions.** This category includes labor union essential activities, including the administration of health and welfare funds, and monitoring the wellbeing and safety of members providing services in the Critical Sectors.
  - ff. **Laundry services.** This category is limited to workers who support laundromats, dry cleaners, industrial laundry services, and laundry service providers for other Critical Sectors.
  - gg. **Animal shelters and veterinarians.** This category is limited to veterinarians and workers at animal care facilities or Department of Natural Resources workers who provide food, shelter, veterinary services, and other necessities of life for animals. Workers in this category are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17.
  - hh. **Real Estate Transactions.** This category is limited to workers who facilitate and finance real estate transactions and real estate services, including appraisers and title services.
    - ii. **Essential Supply Stores.** This category is limited to workers at businesses that sell products, tools, materials, or supplies necessary for: (1) the above Critical Sectors to continue their essential operations, (2) for workers to work from home, or (3) for the maintenance of the safety, sanitation, and essential operation of homes or residences.
7. Allowed activities and work performed in the above Critical Sectors should, to the maximum extent possible, be conducted in a manner that adheres to Minnesota Occupational Safety and Health Standards and the Minnesota Department of Health and CDC Guidelines related to COVID-19, including social distancing and hygiene.
  8. Except as necessary to seek medical care and obtain other necessities of life, people at high risk of severe illness from COVID-19 (*e.g.*, elderly people and those with underlying health conditions) are strongly urged to stay in their home or residence, even when the terms of this Executive Order would allow them to do leave their home or residence.
  9. I urge all Minnesotans to voluntarily comply with this Executive Order. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days. Nothing in this Executive Order is intended to encourage or allow law enforcement to transgress individual constitutional rights.
  10. I direct the cabinet agencies to coordinate expeditiously in developing relevant guidance related to this Executive Order and to provide that guidance to the public.
  11. I direct all state agencies to continue to coordinate expeditiously in developing plans to mitigate the economic effects of closures and restrictions necessitated by this peacetime emergency, including potential financial support, regulatory relief, and other executive actions.
  12. This Executive Order may be extended by a future Executive Order, with the approval of the Executive Council.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is

# Executive Orders

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effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 25, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 25, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-21: Clarifying Application of Executive Order 20-07 to Allow for Coverage of Employees of Constitutional Officers

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

On March 17, 2020, I issued Executive Order 20-07 directing the Commissioner of Management and Budget to develop and implement a policy to provide leave to executive branch employees. Questions have arisen regarding the applicability of Executive Order 20-07 to the employees of constitutional officers who request that their employees be included in the policy.

For these reasons, I order as follows:

1. Paragraph 1 of Executive Order 20-07 is amended by the following additions (indicated by underlined text):

I authorize and direct the Commissioner of Management and Budget to develop and implement a policy to provide paid leave to executive branch employees who must be absent from work for reasons related to COVID-19, including but not limited to caring for their children due to school closure due to COVID-19. "Executive branch employees" for these purposes includes all employees of agencies in the executive branch, as defined in Minnesota Statutes 2019, section 43A.02, subdivision 22, except for employees of constitutional offices. "Executive branch employees" also includes all employees of the Minnesota State Retirement System, the Public Employees Retirement Association, the Teacher's Retirement Association, and the Minnesota State Colleges and Universities system. Paid COVID-19 leave pursuant to this policy must be available effective beginning March 18, 2020 and continue until the peacetime emergency is terminated. The Commissioner of Management and Budget is directed to assist constitutional offices to also adopt COVID-19 related leave for their employees. The constitutional officers are expressly authorized at their discretion to adopt COVID-19 leave for their classified and unclassified employees. Amendments to their compensation plans may specify that classified employees are covered by the plan solely for the purpose of COVID-19 Leave provisions, and that such provisions will expire when the peacetime emergency is lifted.

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2. Paragraph 2 of Executive Order 20-07 is amended by the following additions (indicated by underlined text):

I authorize and direct the Commissioner of Management and Budget to suspend the 35-day waiting period necessary for new insurance-eligible executive branch employees, including the employees of the constitutional offices, to receive the insurance coverage provided in the applicable collective bargaining agreement or compensation plan.

3. Paragraph 4 of Executive Order 20-07 is amended by the following additions (indicated by underlined text):

To the extent it becomes necessary to protect health and safety, perform or facilitate emergency response and recovery efforts, and minimize the impact of the peacetime emergency on government operations, I authorize and direct the Commissioner of Management and Budget, in consultation with state agencies, to transfer the direction, personnel, and/or functions of state agencies, including but not limited to redeploying executive branch employees from one state agency to another state agency, and between job classifications. The constitutional officers, at their discretion and determination, are expressly authorized to transfer the direction, personnel, and/or functions of their offices, including but not limited to redeploying employees within their officers or to another state agency, and between job classifications.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 27, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 27, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-22: Authorizing the State Auditor to Temporarily Suspend Reporting Requirements During the COVID-19 Peacetime Emergency

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat.

# Executive Orders

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In Minnesota Statutes 2019, section 12.02, subdivision 1, the Minnesota Legislature recognized the “existing and increasing possibility of the occurrence of natural and other disasters of major size and destructiveness” and conferred upon the Governor the emergency and disaster powers provided in Chapter 12 to “ensure the preparations of this state will be adequate to deal with disasters” to “generally protect the public peace, health, and safety” and to “preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

I have issued several orders in recent days to protect the health and welfare of Minnesotans. On March 25, 2020, I issued Executive Order 20-19, ordering the implementation of a distance learning period for Minnesota schools, and Executive Order 20-20, ordering a stay-at-home period for Minnesotans. These are proactive measures necessary to protect Minnesotans. The COVID-19 pandemic and the measures Minnesotans must take to combat it have direct and indirect disruptive impacts on all parts of our lives, including businesses and government services and operations.

Minnesota’s numerous units of local government include counties, cities, towns, school districts, fire relief associations, housing authorities, soil and water districts, health and human services organizations, and many other special districts. They are the front-line of government services and operation in our communities, and they face extraordinary challenges due to the COVID-19 pandemic.

The Minnesota State Auditor is the constitutional officer charged with overseeing the finances of these local government units, including their expenditure of nearly \$40 billion annually. This oversight occurs through a variety of local government reporting requirements and deadlines mandated in part by Minnesota statutes. In some instances, failure to meet these statutory requirements and deadlines can result in withholding of state aid or other fiscal consequences. The COVID-19 pandemic has required local governments to rapidly shift priorities and resources and to do so under physical working conditions and challenges that strain their usual processes. During this time, it is critical that we support our local governments and give them flexibility, when appropriate, to adjust normal operations in order to allow government staff to focus on the urgent demands and needs in their community.

For these reasons, I order as follows:

1. Notwithstanding any state law to the contrary, the State Auditor shall have the discretion to suspend, extend, or otherwise modify any state statutorily imposed deadline or reporting requirement pertaining to reports or other filings to the State Auditor by a political subdivision within the meaning of Minnesota Statutes 2019, section 6.465, or by local units of government within the meaning of Minnesota Statutes 2019, section 6.74. The State Auditor shall use such discretion only if the following conditions are met:
  - a. The State Auditor has determined that it is not reasonable to require the political subdivision or local unit of government to comply with the statutory requirement or deadline in light of conditions and restrictions affecting the political subdivision or local unit of government as a result of the COVID-19 pandemic and the consequent peacetime emergency;
  - b. The State Auditor has the ability to provide, where applicable, a new deadline or alternative means to advance the purpose or goal of the statutory requirement;
  - c. If the statutory deadline or requirement has interdependencies with the authority, duty, or work of another state office, department, or agency, the State Auditor has coordinated with the head of the entity or entities to determine the appropriate suspension, extension, or modification of the statutory deadline or requirement, and any concurrent new deadline or means to advance the purpose or goal of the statutory requirement.

- d. The State Auditor documents all deadline suspensions or extensions and requirement modifications and posts them on the State Auditor's website.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 27, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 27, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-23: Authorizing Minnesota Health-Related Licensing Boards to Modify Requirements During the COVID-19 Peacetime Emergency

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Minnesota’s health-related licensed professionals and emergency medical services providers stand on the front line of our efforts to combat the COVID-19 pandemic. Minnesota Statutes 2019, section 214.12, subdivision 1, pertaining to

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continuing education, provides that the health-related licensing boards may promulgate by rule requirements for renewal of licenses designed to promote the continuing professional competence of licensees. Each Minnesota health-related licensing board and the Emergency Medical Services Regulatory Board enforces licensing and continuing education requirements. During this peacetime emergency, compliance with licensing and continuing education requirements has become burdensome and, in some cases, impossible, as many of the facilities tasked with operations related to testing and education are not currently open or offering these services. I have concluded that during this peacetime emergency and to ensure that our health-related professionals can fully support Minnesotans during the COVID-19 pandemic, the Minnesota health-related licensing boards and the Emergency Medical Services Regulatory Board must have authority to appropriately modify licensing and continuing education requirements given the present constraints on the licensing and continuing education process.

Minnesota Statutes 2019, section 214.075, pertaining to criminal background checks of health-related licensing board applications, provides that applicants must undergo a criminal background check as part of the application process, including but not limited to submission of a full set of fingerprints to the respective Minnesota health-related licensing board or designee, pursuant to Minnesota Statutes 2019, section 214.075, subdivision 3(a). During this peacetime emergency, applicant compliance with fingerprinting requirements has become burdensome and, in some cases, impossible, as many of the facilities tasked with operations related to fingerprinting are not currently open or offering these services. I have concluded that during this peacetime emergency and to ensure that our health-related professionals can fully support Minnesotans during the COVID-19 pandemic, Minnesota health-related licensing boards must have authority to appropriately modify this licensing requirement given the present constraints on the licensing process.

In addition, demand has recently increased for chloroquine and hydroxychloroquine. These medications are routinely used for treatment of lupus, rheumatoid arthritis, and other chronic medical conditions. Increased demand of these medications may result in shortages. To mitigate potential shortages, I have concluded that during this peacetime emergency the Minnesota Board of Pharmacy, established pursuant to Minnesota Statutes 2019, section 151.02, must have authority to exercise appropriate discretion to limit dispensing of these medications.

For these reasons, I order as follows:

1. I authorize the Minnesota health-related licensing boards, listed in Minnesota Statutes 2019, section 214.01, subdivision 2 (“health-related licensing boards”), to defer continuing education requirements until the first reporting cycle following termination of the peacetime emergency declared in Executive Order 20-01.
2. I authorize the Minnesota Emergency Medical Services Regulatory Board, established pursuant to Minnesota Statutes 2019, section 144E.01, to extend the March 31, 2020 expiration date for any registrations or certificates issued by the board to June 30, 2020, and to allow for such registration or certificate holders to complete their continuing education requirements through distance learning.
3. I authorize the Minnesota Board of Nursing to renew or extend the 60-day expiration period for temporary permits issued by the board to applicants for licensure by endorsement under Minnesota Statutes 2019, section 148.212, subdivision 1, until termination of the peacetime emergency declared in Executive Order 20-01.
4. I authorize the health-related licensing boards to accept and process applications for licensure without submission by the applicant of a full set of fingerprints, provided all other information required as part of the criminal background check process by Minnesota Statutes 2019, section 214.075, or otherwise, is submitted to the board. Individuals who are granted a license without submission of fingerprints pursuant to this Executive Order shall undergo a new criminal background check as part of their first license renewal application following termination of the peacetime emergency declared in Executive Order 20-01, including submission of a full set of fingerprints to their respective health-related licensing board or designee in the manner and form specified by the board, pursuant to Minnesota Statutes 2019, section 214.075, subdivision 3(a).
5. I authorize the Minnesota Board of Pharmacy, established pursuant to Minnesota Statutes 2019, section 151.02, to enforce the following medication dispensing limitations, until termination of the peacetime emergency declared in Executive Order 20-01. A prescription drug order for chloroquine or hydroxychloroquine must

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# Executive Orders

contain a diagnosis appropriate for the use of these medications and be dispensed for no more than 30 days at a time.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 27, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

Approved by the Executive Council on March 27, 2020:

**Alice Roberts-Davis**  
Secretary, Executive Council

## Office of the Governor

### Emergency Executive Order 20-24: Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

The Federal Motor Carrier Safety Administration issued a national emergency declaration that provides relief from certain safety regulations to carriers providing direct assistance to support emergency relief efforts in response to COVID-19. Based on the language of the declaration, and official guidance put forth by the FMCSA, livestock is a commodity covered under the category of “precursor raw materials” that are required and used for the manufacture of food needed for the emergency restocking of stores.

On March 25, 2020, I issued Executive Order 20-20, which, among other directives to promote the health and safety of Minnesotans, establishes a list of Critical Sectors, including the food and agricultural industries. The agricultural industry and community in Minnesota are facing a significant decrease in the commercial driver workforce due to health and other impacts related to COVID-19. This decrease poses risk to the supply of food in Minnesota and the region.

Due to the spread of COVID-19, there are heightened concerns about the potential shutdown of meat processing plants, increasing the need for farmers to transport livestock to meat processing plants in a timely manner. The livestock

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markets in Minnesota and neighboring states have been and will continue to be impacted by COVID-19. Further spread of the virus, especially in rural communities, threatens the health and availability of workers who companies rely on to process, inspect, and transport meat. Relief is needed to facilitate the safe and efficient movement of livestock to avoid a supply shortage for end users, including grocers and consumers.

Minnesota Statutes 2019, sections 169.86, 169.865, and 169.87 provide weight limitations, as well as permit and permit fee requirements for vehicles operating on Minnesota roadways and transporting overweight loads of certain commodities. Minnesota Statutes 2019, section 221.0314, subdivision 9, adopts federal regulations, including hours of service requirements for drivers. Minnesota Statutes 2019, section 221.0269, provides: “The governor may declare an emergency and grant relief from any of the regulations incorporated in section 221.0314 to carriers and drivers operating motor vehicles in Minnesota to provide emergency relief during the emergency.”

Strict enforcement of certain hours of service and weight restriction regulations would prevent or hinder the efficient transportation of livestock. The continued and efficient movement of livestock is vital to the health and safety of Minnesotans.

For these reasons, I order as follows:

1. A state of emergency exists in Minnesota that requires assistance from motor carriers to transport livestock. Vehicles and drivers providing direct assistance for emergency relief efforts in response to COVID-19 are exempted from certain regulations as described in this Executive Order.
2. The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.86, 169.865, and 169.87 are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of livestock transported in support of direct assistance to emergency relief efforts in response to COVID-19.
3. Suspension of these weight-related provisions applies to loads transported on all roads within Minnesota. Unless the Federal Highway Administration suspends the federal weight limitations on the interstate system, vehicles over 80,000 pounds gross weight may not use the interstate system. Vehicles operating under this Executive Order may not exceed the maximum axle weight limits established under Minnesota Statutes 2019, section 169.824 by more than twelve and one-half percent (12.5%); the maximum axle weight limit of 20,000 pounds or 90,000 pounds gross weight. Additionally, vehicles operating under this Executive Order must comply with posted limits on bridges.
4. Pursuant to Minnesota Statutes 2019, section 221.0269, subdivision 1, conditions exist in Minnesota that require relief from regulations incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles providing direct assistance to emergency relief efforts in response to COVID-19.
5. Motor carriers and drivers providing direct assistance to emergency relief efforts in response to COVID-19 by transporting livestock are exempted from the Code of Federal Regulations, title 49, part 395.3, which is incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service.
6. This Executive Order does not relieve motor carriers and drivers providing direct assistance to emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial drivers' licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
7. No motor carrier operating under the terms of this Executive Order shall require or allow a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be relieved of all duty and responsibilities and given at least 10 consecutive hours off duty before the driver is required to return to service.

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8. Upon the expiration of this Executive Order or termination of direct assistance to emergency relief efforts, the driver must receive a minimum of 10 hours off duty.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2, and remains in effect for 30 days, or until the direct assistance has ended, whichever occurs first. For purposes of this Executive Order, direct assistance does not include transportation of mixed loads that include freight that is not being transported in support of emergency relief efforts. Additionally, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location to begin operations in commerce.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 27, 2020.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

## Official Notices

Pursuant to *Minnesota Statutes* §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking.

The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

## Minnesota Higher Education Facilities Authority Notice of Public Hearing on Revenue Obligations on Behalf of St. Olaf College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the "Authority") with respect to a proposal to issue revenue bonds or other obligations on behalf of St. Olaf College (the "College"), a Minnesota nonprofit corporation, as owner and operator of St. Olaf College (the "Institution"), at the Authority's offices at Suite 450, 380 Jackson Street, St. Paul, Minnesota, on Wednesday, April 15, 2020, at 2:00 p.m. Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate original principal amount not to exceed \$73,000,000 to finance projects generally described as (i) acquisition, construction, equipping and furnishing of a new student housing project consisting of a 300-bed residence hall and 14 new townhouses, each townhouse containing 10 beds; (ii) renovations, equipping and furnishing of existing residence halls, including Ytterboe Hall, Mellby Hall and Kittelsby Hall; and (iii) acquisition, construction, equipping and furnishing of a new president's residence, all located on the campus (collectively, the "Projects"), and to fund capitalized interest and costs of issuance. The Projects are or will be owned and operated by the College, and located on the Institution's main campus, the principal street address of which is 1520 St. Olaf Avenue, Northfield, Minnesota.

Some members of the Authority may participate in the meeting by electronic means, as authorized by Minnesota Statutes, Section 13D.015.

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At said time and place the Authority shall give all parties who appear or who have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the Project. Parties may also monitor the meeting electronically from a remote site as set out on the Authority's website, which can be found at [www.mnhefa.org](http://www.mnhefa.org).

Dated: March 30, 2020

By Order of the  
Minnesota Higher Education Facilities Authority  
Barry W. Fick, Executive Director

## Minnesota Pollution Control Agency (MPCA) Notice of Comment Period Extension and Remote Access Public Information Meetings for the Enbridge Line 3 Replacement Pipeline Project

**Notice is hereby given that** the Commissioner of the Minnesota Pollution Control Agency (MPCA) has extended by one week the public comment period for written comments on the MPCA's draft 401 Water Quality Certification, the draft National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Individual Permit for the Enbridge Line 3 Replacement Project, and the eligibility of the Clearbrook Terminal for the MPCA's capped air emission state permit for the Enbridge Line 3 Replacement Pipeline Project. **The public comment period will end at 4:30 p.m. on Friday, April 10, 2020.**

**Availability of draft certification and permit documents.** A copy of the draft 401 Certification and draft NPDES/SDS Individual Permit are available on the MPCA's public notice page at <https://www.pca.state.mn.us/public-notice> and the MPCA Enbridge Line 3 webpage, where the application and associated submittals are also available, at <https://www.pca.state.mn.us/regulations/enbridge-line-3-pipeline-replacement-project>. A copy of the permit application and supporting documents for MPCA's capped air emission state permit is available on the MPCA's capped air permit webpage, at <https://www.pca.state.mn.us/regulations/air-quality-permit-enbridge-line-3>. Due to the COVID-19 pandemic, the MPCA cannot provide viewing access at the MPCA Offices. The MPCA will mail or email a copy of the draft certification and draft permit documents upon request. Comments, petitions, and other requests must be received at the MPCA in writing via the State Web Portal or by mail on or before the public comment period end date and time identified below.

**Procedure for public participation.** As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

1. Submit written comments on the draft certification, draft permit, and/or capped permit eligibility.
2. Petition the MPCA to hold a public informational meeting. Note – due to community mitigation strategies for the COVID-19 pandemic, all public informational meetings must be held remotely through electronic means.
3. Petition the MPCA to hold a contested case hearing.

**Public comment period.** Interested persons are invited to submit written comments on the MPCA's draft 401 Certification, draft NPDES/SDS permit, and capped air emission state permit for the project. The public comment period ends at 4:30 p.m. on Friday, April 10, 2020.

**Submitting written comments.** Comments can be submitted in three ways – however, the MPCA notes that, due to increased telework associated with community mitigation strategies for the COVID-19 pandemic, the MPCA encourages online comments or comments submitted via tele-town hall:

1. Comments may be submitted by US mail to the following address:

Minnesota Pollution Control Agency  
Enbridge Line 3 Public Comments  
520 Lafayette Road North  
St. Paul MN 55155-4194

2. Comments may be submitted online at the MPCA's Enbridge Line 3 Portal:  
*<https://www.pca.state.mn.us/regulations/enbridge-line-3-pipeline-replacement-project>*
3. Comment at a tele-town hall meeting. See details below.

**Public informational meeting.** Due to community mitigation strategies for the COVID-19 pandemic, the MPCA will conduct all public informational meetings remotely. The MPCA will hold two different types of remote-access meetings – an information session where information on the proposed project will be available for viewing and where the MPCA will respond to questions received about the proposed project, and tele-town hall meetings where the public will have an opportunity to make oral comment publicly regarding the draft certification and other draft permits for the project. The remote access public informational meetings are scheduled as followed:

1. Wednesday, April 1, 2020 – Web Information Session  
(Materials will be posted on or by Wednesday, April 1, 2020, and will remain online throughout the duration of the public notice period)
2. Thursday, April 2, 2020, 2:00 PM-3:30 PM – Tele-Town Hall
3. Tuesday, April 7, 2020, 6:30 PM-8:00 PM – Tele-Town Hall
4. Thursday, April 9, 2020, 10:00 AM-11:30 AM – Tele-Town Hall

All meetings materials, information, and phone numbers for the Tele-Town Hall meetings will be posted ahead of time on the MPCA's Enbridge Line 3 public comment information page:  
*<https://www.pca.state.mn.us/regulations/public-comment-enbridge-line-3>*

**Petition for Contested Case Hearing.** You may also submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing.

The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900. In accordance with Minn. R. 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the draft Certification and/or draft permits;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft Certification and/or draft permits.

A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

# Official Notices

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To be considered timely, the petition for a contested case hearing must be received by the MPCA by 4:30 p.m. on the date the public comment period ends (Friday, April 10, 2020).

**For additional information.** Please continue to visit the MPCA's Enbridge Line 3 Pipeline Replacement Project (<https://www.pca.state.mn.us/regulations/enbridge-line-3-pipeline-replacement-project>) for up-to-date changes in any currently scheduled public information meeting.

Dated: March 24, 2020

Laura Bishop  
Commissioner

## State Grants & Loans

In addition to requests by state agencies for technical/professional services (published in the State Contracts Section), the *State Register* also publishes notices about grants and loans available through any agency or branch of state government. Although some grant and loan programs specifically require printing in a statewide publication such as the State Register, there is no requirement for publication in the *State Register* itself. Agencies are encouraged to publish grant and loan notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

SEE ALSO: Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

## Department of Human Services

### Child Safety and Permanency Division

#### Addendum to Request for Proposals to Provide Early Intervention Services to American Indian Families

The Minnesota Department of Human Services through its Child Safety and Permanency Division has published an Addendum to its Request for Proposals to Provide Early Intervention Services to American Indian Families that was published in the February 18, 2020 State Register. In the Addendum, we are extending the deadline for submitting proposals. The new deadline is April 17, 2020.

To request a full text of the RFP Addendum please contact:

Yvonne Barrett  
Department of Human Services  
Child Safety and Permanency Division  
444 Lafayette Road North, St. Paul, MN 55155  
Phone: (651) 651-431-5638  
[yvonne.barrett@state.mn.us](mailto:yvonne.barrett@state.mn.us)

This is the only person designated to answer questions by potential responders regarding this request.

To obtain this information in a different format, please call 651-431-3612.

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Human Services

### Deaf and Hard of Hearing Services Division

#### Addendum to Request for Proposals to Provide Community-Based Support Service Provider and Intervener Services for Individuals Who Are Deafblind

The Minnesota Department of Human Services through its Deaf and Hard of Hearing Services Division has published an Addendum to its Request for Proposal to Notice of Request for Proposals for a Qualified Grantee to Provide Community-Based Support Service Provider and Intervener Services for Individuals Who Are Deafblind that was published in the March 16, 2020 State Register. In the Addendum, the Responders Conference will occur via conference call in lieu of an in-person meeting.

To request a full text of the RFP Addendum please contact:

Sharisse Leier  
Department of Human Services  
Deaf and Hard of Hearing Services Division  
P.O. Box 64969  
444 Lafayette Road North, St. Paul, MN 55155 0969  
Phone: (651) 431-3253, Fax: (651) 431-7417  
*sharisse.leier@state.mn.us*

This is the only person designated to answer questions by potential responders regarding this request.

To obtain this information in a different format, please call 651-431-3612.

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Human Services

### Deaf and Hard of Hearing Services Division

#### Notice of Request for Proposals to develop digital educational materials about Video Remote Interpreting

The Minnesota Department of Human Services (DHS) is requesting proposals to develop accessible online best practice curriculum and educational materials for consumers and purchasers of Video Remote Interpreter (VRI) services in Greater Minnesota.

DHS is seeking proposals for the grant period June 1, 2020 through June 30, 2021.

For more information, or to obtain a copy of the Request for Proposals, contact:

Sharisse Leier  
Department of Human Services  
Deaf and Hard of Hearing Services Division  
P.O. Box 64969  
444 Lafayette Road North, St. Paul, MN 55155 0969  
Phone: (651) 431-3253, Fax: (651) 431-7417  
*sharisse.leier@state.mn.us*

# State Grants & Loans

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This is the only person designated to answer questions by potential responders regarding this request.

To obtain this information in a different format, please call 651-431-3612.

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 1, 2020. Late proposals will not be considered.** Faxed or e-mailed proposals will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

## Department of Human Services

### Economic Assistance and Employment Supports Division

### Cancellation of the Request for Proposals to Provide Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)

The Minnesota Department of Human Services, through its Economic Assistance and Employment Supports Division, is hereby cancelling its Request for Proposal to Provide Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T) that was published in the March 2, 2020 State Register. The Request for Proposal is being cancelled due to limited provider capacity during the COVID-19 Pandemic. The Minnesota Department of Human Services plans to reissue this RFP in mid-2020.

Department of Human Services  
Economic Assistance and Employment Supports Division  
P.O. Box 64962  
444 Lafayette Road North, St. Paul, MN 55155  
Phone: (651) 431-3884  
*Ashley.Snyder@state.mn.us*

This is the only person designated to answer questions by potential responders regarding this request.

To obtain this information in a different format, please call 651-431-3612.

The text of the RFP has been removed from the Minnesota Department of Human Services RFP web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

The State previously reserved the right to cancel this solicitation. All expenses incurred in responding to the Request for Proposal notice published on March 2, 2020 are solely the responsibility of the responder.

# State Contracts

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be published in the *State Register* or posted on the Department of Administration, Materials Management Division's (MMD) Web site. Interested vendors are encouraged to monitor the P/T Contract Section of the MMD Website at [www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us) for informal solicitation announcements.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be published in the *State Register*. Certain quasi-state agency and Minnesota State College and University institutions are exempt from these requirements.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements: \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600 \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days; \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days.

## Minnesota State Colleges and Universities (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

## Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

**P/T Contracting Opportunities:** MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

**Taxpayers' Transportation Accountability Act (TTAA) Notices:** MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

**MnDOT's Prequalification Program:** MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

**MnDOT Consultant Services website:** [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please call the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

# Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

## Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2020 Parking Structure Rehabilitation & 2020 Parking Ramp Railing Refinishing

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2020 Parking Structure Rehabilitation & 2020 Parking Ramp Railing Refinishing  
**MAC Contract No.:** 106-3-615 & 106-3-616  
**Bids Close At:** 2:00 p.m., Thursday, April 16, 2020

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for miscellaneous repairs and maintenance to the parking structure facilities at Terminal 1 and Terminal 2 at the Minneapolis-St. Paul International Airport.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 8%.

**Bid Security:** Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Construction Documents:** Plans and specifications are on file for inspection at the office of Kimley-Horn and Associates, Inc., 767 Eustis Street, Suite 100, St. Paul, Minnesota, 55114; at the Minnesota Builders Exchange; Dodge Data and Analytics. Bidders desiring drawings and specifications for personal use may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$15.00 by entering eBidDoc™ #6882671 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance. Hard copy drawings and specifications will not be made available to Bidders.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 23, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

# — Non-State Public Bids, Contracts & Grants

## Metropolitan Airports Commission (MAC)

### Notice of Call for Bids for 2019 Terminal 1 Building Remediation Program

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2019 Terminal 1 Building Remediation Program  
**MAC Contract No:** 106-2-905  
**Bids Close At:** 2:00 p.m. on April 14, 2020

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This work is related to leak remediation and the maintenance of the exterior of Terminal 1. The work includes, but is not limited to, the removal and replacement of the following: curtain wall, metal panels, doors, masonry, and sealant work at exterior metal panels and construction joints. Structural, electrical, and mechanical systems will be reconfigured to facilitate this scope of work.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 9%.

**Bid Security:** Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Construction Documents:** Plans and specifications are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications may secure a complete digital set at <http://www.franzrepro.com>. Click on the "Plan Rooms" tab and select the "Franz Public Plan Room". Bidders may download the complete set of digital bidding documents for \$ 50.00 by entering 106-2-905-00 in the "search projects" box then click "refresh/search" button. Contact Franz at 763-503-3401 or [support@franzrepro.com](mailto:support@franzrepro.com) for assistance. Hard copy drawings and specifications are available for purchase at Bidders expense.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 23, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

## Metropolitan Airports Commission (MAC)

### Notice of Call for Bids for 2020 Runway 12R-30L Tunnel Storm Sewer

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2020 Runway 12R-30L Tunnel Storm Sewer  
**MAC Contract No.** 106-1-301  
**Bids Close At:** 2:00 PM on April 16, 2020

**Notice to Contractors:** Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for: Construction of a new storm sewer main inside the existing Runway 12R-30L vehicular tunnel at MSP International Airport. The new storm sewer will be insulated and provided with an electric heat-trace system for freeze protection.

# Non-State Public Bids, Contracts & Grants **==**

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 7%.

**Bid Security:** Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Construction Documents:** Plans and specifications are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Digital copies of the drawings and specifications will also be available at [www.questcdn.com](http://www.questcdn.com). Documents may be downloaded for a non-refundable fee of \$50.00 by entering Quest Project No. 6702266 on the Project Search page. Please contact QuestCDN at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance and free membership registration. Hard copy drawings and specifications will not be made available to Bidders.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 30, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

## Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2020 Service Road M Reconstruction

**Project Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2020 Service Road M Reconstruction  
**MAC Contract No.** 106-1-310  
**Bids Close At:** 2:00 PM on April 16, 2020

**Notice to Contractors:** Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The project provides for the reconstruction/realignment of Service Road M between Taxiway T and Service Road W (a segment approximately 1,700 feet in length). Major items of work for the project include pavement removals, excavation and backfill, bituminous pavement, and turf establishment.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities, or go directly to *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

**Disadvantaged Business Enterprises (DBE):** The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 15%.

**Bid Security:** Each bid shall be accompanied by a "Bid-Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Construction Documents:** Plans and specifications are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Digital copies of the drawings and specifications will also be available at [www.questcdn.com](http://www.questcdn.com). Documents may be downloaded for a non-refundable fee of \$50.00 by entering Quest Project No. 6907381 on the Project Search page. Please contact QuestCDN at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance and free membership registration. Hard copy drawings and specifications will not be made available to Bidders.

# — Non-State Public Bids, Contracts & Grants

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 30, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

## **Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2020 Terminal 1 Ground Transportation Modifications**

**Airport Location:** Minneapolis-St. Paul International Airport  
**Project Name:** 2020 Terminal 1 Ground Transportation Modifications  
**MAC Contract No.:** 106-3-622  
**Bids Close At:** 2:00 p.m., Tuesday, April 14, 2020

**Notice to Contractors:** Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 - 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for: Revisions to in place infrastructure on the Terminal 1 Commercial Vehicle Roadways.

**Note:** You can sign up on our Web site ([www.metroairports.org](http://www.metroairports.org)) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of Targeted Group Businesses on this project is 9.0%.

**Bid Security:** Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

**Availability of Construction Documents:** Plans and specifications are on file for inspection at the office of Kimley-Horn and Associates, Inc., 767 Eustis Street, Suite 100, St. Paul, MN 55114; at the Minnesota Builders Exchange and Dodge Data and Analytics. Bidders desiring drawings and specifications for personal use may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$15.00 by entering eBidDoc™ #6914807 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or [info@questcdn.com](mailto:info@questcdn.com) for assistance. Hard copy drawings and specifications will not be made available to Bidders.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on March 30, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

