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
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- Executive Orders of the Governor
- Commissioners’ Orders
- Revenue Notices
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**NOTICE:** How to Follow State Agency Rulermaking 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. 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 Proposed emergency rules, and withdrawn proposed rules, are also published in the State Register.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.

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Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific Minnesota Statute citations accompanying these expedited emergency rules detail the agency’s rulemaking authority.

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 Natural Resources
Adopted Expedited Emergency Game and Fish Rules: 2020 Bear Season

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by Minnesota Statutes, section 84.027, subdivision 13 (b). The statutory authority for the content of the rules is Minnesota Statutes, sections 97B.405, 97B.411, 97B.425, and 97B.431.

The following conditions do not allow compliance with Minnesota Statutes, sections 97A.0451 to 97A.0459. Annual population and harvest data are used to set bag limits and allow timely adjustment of permit area boundaries to better reflect bear habitat and hunting opportunities. Changes to rules about bait station registration and signage are intended to streamline verification that hunters who were selected by lottery are hunting in the approved locations. Changes to requirements for taking nuisance bears are based on annual population data and the number of annual nuisance bear incidents.

Dated: April 3, 2020

Sarah Strommen
Commissioner of Natural Resources

6232.2800 GENERAL REGULATIONS FOR TAKING BEARS.

Subpart 1. Bag limit. Except as provided in part 6232.3300, a person may not take more than one bear in quota areas and two bears one bear in no-quota areas during any calendar year whether by firearm or archery. Bears taken may be of either sex or any age except that bear cubs may not be taken.

[For text of subparts 2 to 8, see Minnesota Rules]

6232.3000 BEAR QUOTA AREAS.

[For text of subpart 1, see Minnesota Rules]

Subp. 1a. Bear Quota Area 12. Bear Quota Area 12 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection a point along the state boundary due north of the junction of State Trunk Highway (STH) 72 and the northern boundary of the state STH 11; thence due south to said junction; thence along STH 72 to the Tamarac River; thence along the southerly shore of said river to Upper Red Lake; thence along the southeasterly shore of said lake to the eastern boundary of the Red Lake Indian Reservation; thence along the easterly, southeasterly, and westerly boundaries of said reservation to the point where the Clearwater River leaves the reservation boundary; thence
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along the south shore of said river to County State-Aid Highway (CSAH) 2, Polk County; thence along CSAH 2 to CSAH 27, Pennington County; thence along CSAH 27 to STH 1; thence along STH 1 to CSAH 28, Pennington County; thence along CSAH 28 to CSAH 54, Marshall County; thence along CSAH 54 to CSAH 6, Marshall County; thence along CSAH 6 to STH 89; thence along STH 89 to County Road (CR) 134, Marshall County; thence along CR 134 to STH CSAH 54; thence along STH CSAH 54 to CSAH 9, Roseau County; thence along CSAH 9 to CSAH 2, Roseau County; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the Roseau River; thence along the south shore of said river to STH 89; thence along STH 89 to the northern boundary of the state; thence along the northern boundary of the state to the point of beginning.

Subp. 2. **Bear Quota Area 13.** Bear Quota Area 13 consists of that portion of the state lying within the following described boundary:

Beginning on the northern boundary of the state at a point along the state boundary due north of the junction of State Trunk Highway (STH) 72 and STH 11; thence along the northern boundary of the state to a point due north of the intersection of STH 11 and U.S. Highway 71; thence due south to U.S. Highway 71; thence along U.S. Highway 71 to STH 6; thence along STH 6 to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning. County State-Aid Highway (CSAH) 46, Hubbard County; thence along CSAH 46 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 39, Beltrami County; thence along CSAH 39 to the intersection of the north boundary of the Leech Lake Indian Reservation; thence along the north and east boundaries of the Leech Lake Indian Reservation to County Road (CR) 133, Itasca County; thence along CR 133 to STH 6; thence along STH 6 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

[For text of subparts 3 to 5, see Minnesota Rules]

Subp. 6. **Bear Quota Area 26 27.** Bear Quota Area 26 27 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and State Trunk Highway (STH) 6; thence along STH 6 to County Road (CR) 133, Itasca County; thence along CR 133 to the east boundary of the Leech Lake Indian Reservation; thence along the east and north boundaries of the Leech Lake Indian Reservation to the intersection of the north boundary of the Leech Lake Indian Reservation and County State-Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to CSAH 20, Beltrami County; thence along CSAH 20 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 12, Beltrami County; thence along CSAH 12 to CSAH 27, Beltrami County; thence along CSAH 27 to CSAH 8, Beltrami County; thence along CSAH 8 to CSAH 25, Beltrami County; thence along CSAH 25 to CSAH 4, Beltrami County; thence along CSAH 4 to CSAH 46, Hubbard County; thence along CSAH 46 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 6a. **Bear Quota Area 28.** Bear Quota Area 28 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and State Trunk Highway (STH) 6; thence along STH 6 to County Road (CR) 133, Itasca County; thence along CR 133 to the eastern boundary of the state; thence along the eastern boundary of the state to the intersection of the eastern boundary of the state and the Soudan-Two Harbors Branch of the Duluth, Missabe and Iron Range Railway Company (DM&IR); thence along said railroad to CSAH 21, St. Louis County.
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County; thence along CSAH 21 to State Trunk Highway (STH) 135; thence along STH 135 to STH 169; thence along STH 169 to the first Shagawa River bridge at Winton; thence along the northerly shore of said river to Fall Lake; thence along the westerly and northerly shores of Fall Lake to the southern boundary of the Boundary Waters Canoe Area (BWCA); thence easterly along said boundary of the BWCA to the northern boundary of the state at Magnetic Lake; thence easterly along the northern boundary of the state to the boundary of the BWCA on the south shore of North Lake; thence along the boundaries of this detached part of the BWCA to the northern boundary of the state at South North Fowl Lake; thence along the northern and eastern boundaries of the state to the point of beginning.

Subp. 8. Bear Quota Area 41. Bear Quota Area 41 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of the northern boundary of the White Earth Indian Reservation and County State-Aid Highway (CSAH) 7, Clearwater County; thence along CSAH 7 to CSAH 6, Clearwater County; thence along CSAH 6 to State Trunk Highway (STH) 92; thence along STH 92 to STH 223; thence along STH 223 to CSAH 14, Clearwater County; thence along CSAH 14 to CSAH 4, Clearwater County; thence along CSAH 4 to the west boundary of Clearwater County; thence along said boundary to the southern boundary of the Red Lake Indian Reservation; thence along the southern and eastern boundaries of said reservation to the southeasterly shore of Upper Red Lake; thence along said lakeshore to the Tamarac River; thence along the southerly shore of said river to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 2; thence along U.S. Highway 2 to STH 92; thence along STH 92 to CSAH 27, Clearwater County; thence along CSAH 27 to the northern boundary of the White Earth Indian Reservation; thence west along said reservation boundary to the point of beginning.

Subp. 9. Bear Quota Area 43 46. Bear Quota Area 43 46 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 59 and the northern boundary of the White Earth Indian Reservation; thence along said boundary to County State-Aid Highway (CSAH) 27, Clearwater County; thence along CSAH 27 to State Trunk Highway (STH) 92; thence along STH 92 to U.S. Highway 2; thence along U.S. Highway 2 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to the Mississippi River; thence upstream along the easterly shore of said river to STH 27 at Little Falls; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning; CSAH 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 to STH 200; thence along STH 200 to STH 371; thence along STH 371 to the southern boundary of the Leech Lake Indian Reservation; thence along the south and east boundaries of the reservation to the White Oak public access road; thence along the public access road to STH 6; thence along STH 6 to CSAH 1, Crow Wing County; thence along CSAH 1 to CSAH 1, Cass County; thence along CSAH 1 to STH 84; thence along STH 84 to STH 371; thence along STH 371 to STH 87; thence along STH 87 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

The Tamarac National Wildlife Refuge within Area 43 46 is not open for bear hunting.

Subp. 9a. [See repealer.]

Subp. 9b. Bear Quota Area 45. Bear Quota Area 45 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 87; thence along STH 87 to STH 371; thence along STH 371 to STH 84; thence along STH 84 to County State-Aid Highway (CSAH) 45 1, Cass County; thence along CSAH 45 1 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23 27; thence along STH

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23 to the Mississippi River; thence upstream along the Mississippi River along the easterly shore of said river to STH 27; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 thence along STH 27 to STH 25; thence along STH 25 to CSAH 48, Morrison County; thence along CSAH 48 to the junction with STH 371; thence due west of said junction to the Mississippi River; thence downstream along the west bank of the Mississippi River to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Subp. 9c. Bear Quota Area 47. Bear Quota Area 47 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of U.S. Highway 2 and County State-Aid Highway (CSAH) 45, Hubbard County; thence along CSAH 45 to CSAH 9, Hubbard County; thence along CSAH 9 to CSAH 69, Cass County; thence along CSAH 69 to CSAH 5, Hubbard County; thence along CSAH 5 to CSAH 39, Hubbard County; thence along CSAH 39 to County Road (CR) 94, Hubbard County; thence along CR 94 to CSAH 31, Hubbard County; thence along CSAH 31 to State Trunk Highway (STH) 200; thence along STH 200 to U.S. Highway 371; thence along U.S. Highway 371 to the south boundary of the Leech Lake Indian Reservation; thence along the south and east boundaries of the reservation to the White Oak public access road; thence along the public access road to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Subp. 9d. Bear Quota Area 451. Bear Quota Area 451 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 71 and U.S. Highway 10; thence along U.S. Highway 10 to the Mississippi River; thence upstream along the west bank of the Mississippi River to a point due west of the junction of County State-Aid Highway (CSAH) 48, Morrison County, and State Trunk Highway (STH) 371; thence due east to said junction; thence along CSAH 48 to STH 25; thence along STH 25 to STH 27; thence along STH 27 to U.S. Highway 169; thence along U.S. Highway 169 to STH 23; thence along STH 23 to the Mississippi River; thence upstream along the east bank of said river to STH 27; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

[For text of subpart 10, see Minnesota Rules]

6232.3100 BEAR NO-QUOTA AREA.

Licenses for the no-quota area are not limited in number and may be purchased at an electronic licensing system (ELS) agent, ELS-Internet, or ELS-Telephone. A person may purchase a license for both a quota area and the no-quota area in the same year. No-quota licenses are valid only in the no-quota area, except when validated by a wildlife manager or conservation officer for a nuisance bear in the quota area under part 6232.3300. When a no-quota license is purchased after the start of the bear season, the license is valid only if issued before legal shooting hours on the day the license is first used.

6232.3200 BAIT STATIONS AND GARBAGE DUMPS.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Registration of bait station. A person may not establish a bear bait station without registering the site as provided in this subpart.

A. The following information must be provided on a form provided by the commissioner or on an 8-1/2 inch by 11 inch sheet of paper:

1. name, address, Minnesota DNR number, and telephone number of person who established the bear bait station; and
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(2) if established for someone else, name and Minnesota DNR number of the person for whom the bear bait station is established; and

(3) global positioning system coordinates where or county, township, range, and section in which the bear bait station is established.

[For text of item B, see Minnesota Rules]

Subp. 3. Display of sign. A person establishing a bear bait station must display a sign at the site meeting the following requirements.

[For text of item A, see Minnesota Rules]

B. The sign must contain:

(1) for unguided hunters, the full name and either address, the Minnesota DNR number, or the Minnesota driver’s license number of both the person on whose behalf the bait is placed and the person who is placing the bait; or

[For text of subitem (2), see Minnesota Rules]

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

[For text of subparts 4 to 7, see Minnesota Rules]

6232.3300 NUISANCE BEARS.

Nuisance bears may be taken under the conditions in this part by licensed bear hunters from July 1 to August 31 under the conditions in this part or as authorized in item C.

A. Wildlife managers or conservation officers may authorize licensed hunters to take nuisance bears after the manager or officer has verified that a nuisance problem exists. To be eligible to take a nuisance bear, a licensed hunter must indicate interest as instructed on the application form for the bear lottery.

[For text of item B, see Minnesota Rules]

C. If no licensed hunter who is eligible to take a nuisance bear under item A is available to take a nuisance bear, a hunter with a no-quota license may take a nuisance bear in the quota area if the hunter’s license is validated by a wildlife manager or conservation officer. A no-quota license validated to take nuisance bears is valid for any area where a wildlife manager or conservation officer verifies that a nuisance-bear problem exists and is valid for taking nuisance bear during the time specified by the wildlife manager or conservation officer.

D. A licensee taking a nuisance bear prior to the season must register it with the authorizing wildlife manager or conservation officer within 48 hours after taking.

E. A licensee who takes a nuisance bear may not take another bear in that year.

F. Nuisance bears taken under item C do not count toward a hunter’s statewide bag limit of bear.

A licensee taking a nuisance bear is subject to all provisions of parts 6232.2600 to 6232.3500 not inconsistent with this subpart and all laws relating to the taking of wild animals.

REPEALER. Minnesota Rules, part 6232.3000, subpart 9a, is repealed.

EFFECTIVE PERIOD. The expedited emergency amendments to Minnesota Rules, parts 6232.2800, 6232.3000, 6232.3100, 6232.3200, and 6232.3300, expire December 31, 2020. After the emergency amendments expire, the permanent rules as they read before the amendments again take effect, except as they may be amended by permanent rule.
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 20-52: Authorizing Students in Critical Sectors to Return to Safe Higher Education Institutions for Completion of a Postsecondary Credential

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. On April 13, 2020, after notifying the Legislature, I issued Executive Order 20-35, extending the peacetime emergency declared in Executive Order 20-01.

Previous Executive Orders have required the closure of higher education institutions and other places of public accommodation and directed Minnesotans to stay at home except for certain exempted activities and Critical Sector work. Executive Orders 20-20, 20-33, and 20-48 permitted work in Critical Sectors based on guidance from the U.S. Department of Homeland Security. That Guidance has since been updated and revised. This order adopts and relies on the April 17, 2020 Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response, Version 3.0 (“CISA Guidance (version 3.0)”—attached to Executive Order 20-48 and incorporated into this Executive Order). The CISA Guidance (version 3.0) identifies “Critical Sectors” that are essential to continued critical infrastructure viability.

To preserve the health, safety, and lives of Minnesotans, it is necessary to adapt that guidance to the post-secondary institutions (“higher education institutions”) that prepare students to enter Critical Sectors. Higher education institutions across Minnesota have implemented a distance learning model that has allowed staff at institutions to provide continuity of education while also preserving the health, safety, and lives of students, their families, institution staff, and the public. Nonetheless, some program licensing and completion requirements for students preparing to enter Critical Sectors must be fulfilled with in-person or on-site activities. Delaying entry into Critical Sector jobs exacerbates workforce shortages in these sectors. As cases of COVID-19 continue to rise in Minnesota, some Critical Sectors are already facing workforce shortages. To protect public health and safety it is necessary to take available measures to keep our Critical Sector workforce strong.

Delaying entry into Critical Sector jobs also exacerbates workforce equity issues. Many of the programs that require in-person or on-site activities are certificate and associate degree programs, which enroll a greater number of low-income students and students of color. Additionally, many of these students may be more likely to go on to work in underserved and vulnerable communities, including those in greater Minnesota, that are most negatively impacted by the COVID-19 pandemic.

Higher education institutions have the opportunity to resume limited activities through preparation and planning that will allow for compliance with the Minnesota Occupational Safety and Health Act of 1973, Minnesota Statutes 2019,
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Chapter 182 ("Minnesota OSHA Standards"), in addition to guidelines related to COVID-19 set forth by the Minnesota Department of Health and the Centers for Disease Control and Prevention ("MDH and CDC Guidelines").

Consistent with the MDH and CDC Guidelines on masking, social distancing, personal hygiene, screening, and cleaning practices, higher education institutions may determine that it is possible to safely reopen facilities for specific instructional programming necessary for a student to complete a degree, diploma, certificate, credential, or licensure in a Critical Sector.

In Minnesota Statutes 2019, section 12.02, 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.

For these reasons, I order as follows:

1. I authorize higher education institutions, in consultation with their governing boards, the Commissioner of the Office of Higher Education, and the Commissioner of Health, to expand in-person or on-site activities and programming that are necessary for the completion of a degree, diploma, certificate, credential, or licensure in a Critical Sector that can be operationalized in compliance with MDH and CDC Guidelines.

2. Notwithstanding the requirement to stay at home in Executive Order 20-48, beginning no sooner than May 11, 2020 at 11:59 pm, students in their final term may return to the institution’s facilities for the in-person or on-site activities necessary for the student to complete a degree, diploma, certificate, credential, or licensure in a Critical Sector upon the institution’s completion of the requirements set forth in this order.

3. To preserve the health and safety of students, their families, institutions’ staff, and the public, and to provide continuity of education during the COVID-19 pandemic, higher education institutions must continue to operate in a distance learning model with regard to students who are not in their final term, and any courses not in a Critical Sector as defined in sections 5(b) and 7 of this Executive Order.

4. As with the Critical Sector worker exemptions set forth in Executive Order 20-48, the exemptions created for students in their final term and institutional staff and instructors in this Executive Order apply only to travel to and from an individual’s home or residence and the institution and activities that cannot be done at their home or residence. Travel may include transportation to and from child care or school settings as necessary to ensure the safe care of children.

5. Definitions.

   a. For the purposes of this Executive Order, “students in their final term” includes any person enrolled at a higher education institution who has completed all required credits except for the courses the person is currently taking.

   b. As used in this Executive Order, “Critical Sectors” is defined to include the categories found in the CISA Guidance (version 3.0) and the additional categories listed below in paragraph 7.

   c. For the purposes of this Executive Order, “higher education institution” includes all post-secondary institutions with a physical campus in the State.

   d. As used in this Executive Order, “staff and instructors” includes all employees, contractors, and volunteers of a higher education institution, including but not limited to janitorial and cleaning staff.
professionals, secretarial and administrative professionals, instructors, instructor assistants, faculty, and administrators.

6. **Requirements for higher education institutions.** Before students may return to a higher education institution for in-person or on-site activities, the institution must establish and implement a COVID-19 Preparedness Plan (“Plan”). Each Plan must provide for implementation of Minnesota OSHA Standards and MDH and CDC Guidelines in classrooms, labs, or other areas that students and staff may visit. These requirements are set forth in guidance published by the Minnesota Department of Employment and Economic Development and the Minnesota Department of Labor and Industry (“Plan Guidance”) and available at [https://mn.gov/deed/safework/](https://mn.gov/deed/safework/), adaptable to higher education institutions.

   a. **Required Plan content.** As set forth in the Plan Guidance, at a minimum, each Plan must adequately address the following areas:

      i. **Require distance learning wherever possible.** All Plans must ensure that distance learning continues for all students not in their final term, students in courses that are not in a Critical Sector, and when possible for students in their final term and Critical Sector courses.

      ii. **Ensure that sick students and institution staff and instructors stay home.** All Plans must establish policies and procedures, including health screenings, that prevent sick students or institution staff and instructors from entering the institution for in-person or on-site activities.

      iii. **Social distancing.** All Plans must establish social distancing policies and procedures set forth by the CDC and MDH.

      iv. **Cleaning and disinfection protocols.** All Plans must establish cleaning and disinfection protocols for areas within the institution where students and staff and instructors may visit.

   b. **Certification and signature.** Institutional leadership responsible for implementing the Plan must sign and certify the Plan, affirming their commitment to implement and follow the Plan.

   c. **Dissemination and posting.** A higher education institution must provide its Plan to all students in their final term and staff and instructors who will be in the building. The Plan must be posted in all classrooms, labs, or other places where students or staff and instructors may visit. Where physical posting is impracticable, the Plan can be posted electronically, provided that the Plan is disseminated to all students in their final term and staff and instructors.

   d. **Training.** Higher education institutions must ensure that training is provided to staff and instructors on the contents of their Plan and required procedures, so that all staff and instructors understand and are able to perform the precautions necessary to protect themselves and the students. This training should be easy to understand and available in the appropriate language and literacy level for all staff and instructors. Documentation demonstrating compliance with this training requirement must be maintained and made available to regulatory authorities and public safety officers, including the Office of Higher Education and Department of Health, upon request.

   e. **Availability to regulatory authorities and public safety officers.** Higher education institutions do not need to submit their Plans for preapproval. Upon request, institutions must make their Plans available to regulatory authorities and public safety officers, including the Office of Higher Education and the Department of Health.

7. **Exemptions – Critical Sectors.** Distance learning models must continue to be implemented. Students in their final term and staff and instructors may attend in-person or on-site activities necessary for the student’s completion of a degree, certificate, credential, or licensure in the Critical Sectors listed below.

   a. Health programs, including but not limited to:
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i. Nursing (AD, BSN, Practical, and Nursing Assistant)
ii. Respiratory Therapy
iii. Medical Assistant
iv. Medical Lab Scientist
v. Emergency Medical Technician
vi. Radiation Technology
vii. Medical Lab Technician
viii. Phlebotomy/Medical Lab Assistant
ix. Surgical Technologist
x. Dental Assistant
xi. Dental Hygiene

b. Other programs in the following Critical Sectors:

i. Law Enforcement, Public Safety, and First Responders
   A. Homeland Security, Law Enforcement, Firefighting and Related Protective Services
   B. Military Science, Leadership, and Operational Art
   C. Military Technologies and Applied Sciences

ii. Food and Agriculture
   A. Agriculture, Agricultural Operations, and Related Sciences
   B. Culinary Arts and Related Services

iii. Energy
   A. Environmental Control Technologies/Technicians

iv. Water and Wastewater
   A. Water, Wetlands, and Marine Resources Management
   B. Natural Resources Management and Policy
   C. Fishing and Fisheries Sciences and Management

v. Transportation and Logistics
   A. Transportation and Materials Moving

vi. Public Works and Infrastructure Support Services
   A. Engineering
   B. Engineering Technologies and Engineering-Related Fields

vii. Communications and Information Technology
   A. Communications Technologies/Technicians and Support Services
   B. Computer and Information Sciences and Support Services
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viii. Other Community-Based Government Operations and Essential Functions
   A. Construction
   B. Mechanic and Repair Technologies/Technicians

c. This list of Critical Sectors may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. I delegate to the Commissioner of the Office of Higher Education the authority to clarify the list of Critical Sectors above. Clarifications are available for public review at: https://www.ohe.state.mn.us/E0clarifications/.

8. Fiscal Impact. Institutions of higher education or other organizations receiving state funds, state agencies, or students enrolled at institutions of higher education will not receive increased state aid as a result of this Executive Order.

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


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 11, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

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 continues to present an unprecedented and rapidly evolving challenge to our State. Since the World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020, confirmed cases of COVID-19 in Minnesota have rapidly increased. 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, and on March 21, 2020, the Minnesota Department of Health announced the first confirmed fatality due to COVID-19 in Minnesota.

The President declared a national emergency related to COVID-19 on March 13, 2020. Since then, and for the first time in history, the President has approved major disaster declarations for all fifty states and the District of Columbia.

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Along with these federal actions and the actions of states across the nation, Minnesota has taken extraordinary steps to prevent and respond to the COVID-19 pandemic. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency under Minnesota Statutes 2019, section 12.31, subdivision 2. On March 16, 2020, the Executive Council approved the extension of the peacetime emergency. On April 13, 2020, after notifying the Legislature, I issued Executive Order 20-35, extending the peacetime emergency declared in Executive Order 20-01. In this Executive Order, the peacetime emergency declared in Executive Order 20-01 and extended in Executive Order 20-35 is referred to as the “COVID-19 Peacetime Emergency.”

In the past month, the COVID-19 pandemic’s impact has only intensified in Minnesota. On April 12, 2020, Minnesota had 1,650 confirmed COVID-19 cases, with 361 hospitalizations and 70 fatalities. As of May 12, 2020, Minnesota has had over 12,000 confirmed COVID-19 cases, with over 1,700 hospitalizations and over 600 fatalities. We have continued to learn more about COVID-19’s propensity to spread rapidly throughout our communities. Nobles County, for example, quickly went from having very few COVID-19 case to becoming a significant hotspot. In addition, the spread of COVID-19 has now been confirmed in all but three of Minnesota’s 87 counties. COVID-19 is also now present in over 170 long-term care facilities across the State. As a result, COVID-19 continues to place some of Minnesota’s most vulnerable residents at risk.

During the COVID-19 Peacetime Emergency, I have exercised executive authority through more than fifty Executive Orders to provide relief and further prepare our State for the COVID-19 pandemic. Such actions have included the closure of schools and implementation of a distance learning period; enhanced protections for veterans in our veterans homes; activation of the National Guard to assist in relief efforts; measures to preserve personal protective equipment; temporary closure of bars, restaurants, and other places of public accommodation; efforts to provide economic relief and stability to those impacted by the pandemic; regulatory changes allowing our state agencies and licensing boards to ensure fast relief to Minnesotans; and orders asking Minnesotans to stay at home to slow the spread of the virus. Our actions have saved lives, but the threat remains, and our work must continue.

In Minnesota Statutes 2019, section 12.31, subdivision 2(a), the Minnesota Legislature authorized the Governor to declare a peacetime emergency when an act of nature endangers life and property and local government resources are inadequate to handle the situation. With the approval of the Executive Council, a peacetime emergency may continue for up to 30 days. Minnesota Statutes 2019, section 12.31, subdivision 2(b), provides the mechanism for the Governor to extend a peacetime emergency beyond 30 days. If the Governor determines a need to extend a peacetime emergency declaration beyond 30 days, and the Legislature is not already sitting in session, the Governor must issue a call immediately convening both houses of the Legislature. When, as is currently the case, the Legislature is sitting in session, there is no need for the Governor to issue a call to convene the Legislature. The Legislature may terminate a peacetime emergency extending beyond 30 days by a majority vote of each house.

Minnesota law does not clearly impose additional requirements for an extension of a peacetime emergency beyond the initial 30 days. Given the importance of this decision, however, I concluded last month that the prudent course was to limit subsequent extensions to 30-day increments and seek the Executive Council’s review and approval of such extensions. I will continue that course today.

For these reasons, I order as follows:

1. I have determined that the COVID-19 pandemic, an act of nature, continues to endanger life and property in Minnesota, and local resources are inadequate to address the threat. The COVID-19 Peacetime Emergency must therefore continue.

2. The peacetime emergency declared in the COVID-19 Peacetime Emergency is extended through June 12, 2020, until this Executive Order is rescinded by proper authority, or until it is terminated by a majority vote of each house of the Legislature pursuant to Minnesota Statutes 2019, section 12.31, subdivision 2(b), whichever occurs earlier.

3. Because the Legislature is currently sitting in regular session, there is no need to call a special session of the Legislature under Minnesota Statutes 2019, section 12.31, subdivision 2(b).
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4. The COVID-19 Peacetime Emergency may be further extended by an executive order on or before June 12, 2020.

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

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.


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 13, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-54: Protecting Workers from Unsafe Working Conditions and Retaliation 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. 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. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

The COVID-19 pandemic has caused a public health crisis of significant proportions. Frontline health care workers, emergency responders, and other workers are doing their jobs under dangerous, demanding, and stressful conditions to provide critical services to Minnesotans. Many of these workers are in direct contact with persons who have contracted COVID-19, putting them at increased risk of exposure and infection. Infection of health care workers and emergency responders from COVID-19 poses an immediate threat to the health care system and the ability to provide critical medical services to those infected with COVID-19 and others in need during this emergency. This increased risk is a threat to the public health of Minnesotans.

Although frontline workers are at heightened risk, all workers need protection from unsafe work conditions during this pandemic. Workers whose jobs place them in regular proximity to co-workers or require regular engagement with the public are also at increased risk of COVID-19 exposure. Workers with an increased risk of exposure also have an increased risk of transmitting the virus to others, including patients, residents, family-members, co-workers, and the public.

Workers continue to raise concerns regarding the safety of their work environments. For example, recommended
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equipment to protect workers against COVID-19 is not always available or being provided by employers, causing workers to raise concerns about the lack of protection and to secure protective equipment on their own. Recent news reports contain accounts of workers facing discipline or retaliation for raising concerns about protective equipment and their safety, or for wearing protective equipment.

Workers should not have to sacrifice their health and safety for economic security. It is important for workers to raise safety and health concerns freely and without fear of retaliation. Workers should be protected from loss of income if they refuse to work under unsafe or unhealthy conditions.

Furthermore, under federal and state anti-discrimination laws, including the Minnesota Human Rights Act (“MHRA”), employers have an obligation to provide reasonable accommodation to qualified employees with disabilities, which may include employees with health conditions who are at high-risk, as determined by relevant guidelines from the Center for Disease Control and Prevention (“CDC”) or Minnesota Department of Health (“MDH”), if they are exposed to or if they contract COVID-19. Employers have an additional obligation to comply with the requirements of Minnesota Statutes 2019, section 144.4196, for purposes of any qualifying employee who has been subject to isolation or quarantine due to COVID-19.

Employees with disabilities can and should ask for reasonable accommodations when needed related to COVID-19 and employers should engage in the interactive process to seek out reasonable accommodations to ensure the health and safety of employees with disabilities.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “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 peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Pursuant to Minnesota Statutes 2019, section 182.654, subdivision 9, and Code of Federal Regulations, title 29, section 1977.9(c), employers must not discriminate or retaliate in any way against a worker communicating orally or in writing with management personnel about occupational safety or health matters related to COVID-19, including asking questions or expressing concerns.

2. Employers must not discriminate or retaliate in any way against any worker for wearing gloves, a cloth face covering, eye protection, or other protective gear which the worker has personally procured and reasonably believes will protect them, their coworkers or the public against COVID-19 in the course of their work, provided that the protective gear which the worker has personally procured does not violate industry standards or existing employer policies related to health, safety, or decency. Employers may require use of employer-provided protective gear that meets or exceeds protective gear procured by employees.

3. Pursuant to Minnesota Statutes 2019, section 182.654, subdivision 11, workers have the right to refuse to work under conditions that they, in good faith, reasonably believe present an imminent danger of death or serious physical harm. This includes a reasonable belief that they have been assigned to work in an unsafe or unhealthful manner with an infectious agent such as COVID-19. Employers must not discriminate or retaliate in any way against a worker for the worker’s good faith refusal to perform assigned tasks if the worker has asked the employer to correct the hazardous conditions but they remain uncorrected. These situations should be immediately reported to the Minnesota Department of Labor and Industry (“DLI”).

4. Pursuant to Minnesota Statutes 2019, section 182.654, subdivisions 8 and 9, workers and authorized representatives of workers have the right to request that DLI conduct an inspection of their workplace if they
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believe that a violation of a safety or health standard that threatens physical harm exists or that an imminent danger exists. Employers must not discriminate or retaliate in any way against a worker because such worker has requested an inspection or exercised any other right under Minnesota Statutes 2019, Chapter 182.

5. DLI has authority to receive complaints about violations of paragraphs 1 through 4 and enforce these provisions using the procedures contained in Minnesota Statutes 2019, section 182.669, including awards of backpay and compensatory damages.

6. Pursuant to Minnesota Statutes 2019, section 268.095, any worker who quits their employment because the employer has failed to correct an adverse work condition related to the pandemic which would compel an average, reasonable worker to quit, if the worker has complained to the employer about such adverse work condition and has given the employer a reasonable opportunity to correct such adverse work condition, to no avail, or has been retaliatorily terminated from their employment as a result of exercising the worker rights described in paragraphs 1 through 4 of this Executive Order, shall not lose unemployment insurance benefits eligibility under existing law and Executive Order 20-05. Examples of an adverse work condition include an employer’s failure to develop or implement a COVID-19 Preparedness Plan, as required by applicable Executive Orders, or failure to adequately implement Minnesota OSHA Standards or MDH and CDC Guidelines in the workplace related to COVID-19.

7. Pursuant to the MHRA, Minnesota Statutes 2019, Chapter 363A, and the existing authority of the Commissioner of Human Rights, I authorize and direct the Commissioner of Human Rights to issue guidance, as necessary, consistent with federal and state anti-discrimination laws, including the MHRA, regarding employers’ obligations to provide reasonable accommodations related to COVID-19 for qualified employees with disabilities, as defined in the MHRA, which may include employees with health conditions who are at high-risk, as determined by relevant guidelines from the CDC or MDH, if they are exposed to or if they contract COVID-19.

8. Reasonable accommodations related to COVID-19 for such employees may include, but are not limited to, adjusting schedules or work stations, allowing employees to work from home, or permitting use of leave.

9. The rights and protections set forth in this Executive Order are available to all workers regardless of immigration status, and in addition to any other rights or protections established by any other law, rule, regulation, executive order, contract, or collective bargaining agreement.

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.


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 13, 2020:

Alice Roberts-Davis
Secretary, Executive Council
Office of the Governor

Emergency Executive Order 20-55: Protecting the Rights and Health of At-Risk Populations 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. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

As businesses reopen and some restrictions on movement have been relaxed, we must continue efforts to contain the spread of COVID-19 and to protect the most vulnerable Minnesotans, including the nearly 10,000 Minnesotans experiencing homelessness who are living outside or in a temporary shelter, the over 110,000 Minnesotans living in or receiving services from residential settings, the 778,000 Minnesotans under age 65 with an underlying health condition, and the 888,000 Minnesotans who are over age 65. Many Minnesotans at risk of serious illness due to COVID-19, including older adults and people with disabilities, whether they live in their own homes, a shelter, outdoors, in long-term care facilities, treatment centers, or a temporary location due to a COVID-19 infection, are in need of protections to support their health and safety during the COVID-19 pandemic.

We recognize that our communities of color and indigenous communities are disproportionately represented among populations with underlying conditions and co-morbidities that increase the risk of becoming severely ill if they contract COVID-19. These communities also make up a large percentage of the direct service caregivers working on the frontlines of this pandemic, and because of their interactions through their work, have increased chances to encounter and contract COVID-19. Taking action to protect vulnerable populations will help ensure we do not exacerbate these disparities.

Individuals experiencing homelessness face unique hurdles given the health and safety risks posed by COVID-19. All Minnesotans need safe and sanitary places to reside, to protect their own health and the health of those around them, and if they become sick, to obtain needed care and to recover. In particular, finding a safe and comfortable space to isolate when sick with COVID-19 is especially difficult for individuals experiencing homelessness and for those who cannot live in their own home. As a matter of public health and safety, it is important to provide assistance when possible to isolate these individuals.

Another subset of vulnerable Minnesotans are those losing essential community support or being transferred or displaced from their homes due to COVID-19. There is significant risk of hardship to individuals taken out of assisted living and placed in a new location that does not have necessary supports. Protections and guidelines are needed to provide assistance to government entities when evacuation of an individual who tested positive for COVID-19 is required.

Finally, vulnerable Minnesotans need to be able to protect themselves when they are engaged in activities of daily living. Like everyone, at-risk persons need to acquire groceries and other vital supplies and may require repairs or other services that cause workers to enter their living space. Being in close proximity to other individuals increases the chances of contracting COVID-19 and it is helpful to reduce instances of interaction and to take other mitigating steps to reduce the spread of COVID-19 to at-risk persons. Similarly, it is vital for at-risk persons to have access to personal protective equipment (“PPE”) and other supplies and to be made aware if a personal care assistant is no longer available to work with them.

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.

For these reasons, I order as follows:

1. **At-risk persons strongly urged to stay at home.** Beginning on Sunday, May 17, 2020 at 11:59 pm and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all at-risk persons currently living within the State of Minnesota are strongly urged to stay at home or in their place of residence except to engage in necessary activities for health and wellbeing (including, but not limited to, visiting medical professionals, picking up prescriptions and other medical equipment, grocery shopping, outdoor exercise, child care, caring for family members or pets) and work, if it is not possible to work from home. People who can work from home must do so.

2. **At-risk persons defined.** Consistent with guidance issued by the Centers for Disease Control and Prevention (“CDC”), “at-risk persons” include people who are:
   a. 65 years and older.
   b. Living in a nursing home or a long-term care facility, as defined by the Commissioner of Health.
   c. Any age with underlying medical conditions, particularly if not well controlled, including:
      i. People with chronic lung disease or moderate to severe asthma.
      ii. People who have serious heart conditions.
      iii. People who are immunocompromised (caused by cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, or prolonged use of corticosteroids and other immune weakening medications).
      iv. People with severe obesity (body mass index (BMI) of 40 or higher).
      v. People with diabetes.
      vi. People with chronic kidney disease undergoing dialysis.
      vii. People with liver disease.

3. **“Homes” and “residences” defined.** For purposes of this Executive Order, “homes” and “residences” include mobile homes, hotels, motels, shared rental units, shelters, and similar facilities, to the extent they are used for lodging.

4. **Homeless population.** All persons who, either chronically or temporarily, lack a permanent residence may move freely, including to receive supports and services, but are strongly urged to obtain shelter or other safe spaces. Governmental and other entities are strongly urged to make 24-hour shelter or other safe spaces available as soon as possible and to the maximum extent practicable, and to use COVID-19 risk mitigation practices recommended by the CDC and the Minnesota Department of Health (“MDH”).

5. **Encampments.** Homeless encampments, including both new and existing encampments, should not be
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subject to sweeps or disbandment by state or local governments, as such sweeps or disbandments increase the potential risk and spread of COVID-19. Law enforcement is not prohibited from addressing trespassing or exigent circumstances (i.e., those requiring immediate action to protect life, prevent injury, or preserve evidence) that occur within encampments or among or including people staying outdoors. Law enforcement and other first responders should respond to trespassing and exigent circumstances as those situations require. If a local government entity is providing sufficient alternate housing, shelter, or encampment space that complies with the MDH guidance, Homeless Services Settings: Interim Guidance for Providers, and the CDC guidance, Responding to COVID-19 Among People Experiencing Unsheltered Homelessness, or if an encampment has reached a size or status that is a documented threat to the health, safety, or security of residents, state or local governments may restrict, limit, or close encampment spaces. I authorize the Commissioners of the Minnesota Housing Finance Agency and Human Services, as co-chairs of the Minnesota Interagency Council on Homelessness, to issue further guidance as needed to clarify this provision or further address the issue of homeless encampments.

6. **Protection and isolation spaces.** I order the Commissioners of Health, Human Services, and Public Safety to coordinate and issue guidance regarding the development and availability of increased protection and isolation spaces for at-risk populations and persons experiencing homelessness, including populations in or out of shelter, those experiencing homelessness due to being victims of crime, and individuals who do not need hospital-level care and do not have a home or other appropriate space where they can safely isolate.

7. **At-risk persons transferred or displaced.** I order the Commissioners of Human Services and Health to develop and implement guidelines to protect at-risk persons who are transferred or displaced from their home due to the state or local government’s determination that the person requires a safer location to prevent future COVID-19 infections. The guidelines should provide special consideration for the needs of at-risk persons living with dementia, behavioral health conditions, substance use disorders, or any other condition or co-morbidity that increases the risk of non-COVID-19 harm, injury, or death as a result of transfer or displacement. The guidelines issued under this section should be consistent with Executive Order 20-14 and temporary waivers and program modifications implemented by the Commissioners of Human Services and Health, including those pursuant to Executive Orders 20-11 and 20-12.

8. **Unlicensed agency providers of services necessary for health and safety.** Beginning no later than May 18, 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 unlicensed agency providers of services that are necessary for activities of daily living, as defined in Minnesota Statutes 2019, section 256B.0659 (“activities of daily living’ means grooming, dressing, bathing, transferring, mobility, positioning, eating, and toileting”), must provide notice to local county human services or tribal human services, to the managed care organization from which the provider agency has received payment, and to all persons they serve under Minnesota Statutes 2019, section 256B.0659, at least 72 hours prior to suspension or termination of services (i.e., agency closure) if the closure is due to COVID-19. Agency providers retain their responsibilities as mandated reporters to the Minnesota Adult Abuse Reporting Center. The Commissioner of Human Services may use the recipient protection provisions in Minnesota Statutes 2019, section 256B.0651, subdivision 17(b), to assist recipients and notify lead agencies.

9. **Accommodations for at-risk persons.** I order the Commissioner of Employment and Economic Development to issue such guidance as necessary for private and public businesses to provide accommodations to at-risk customers by adjusting times, services, and manner of delivering goods and services to minimize the risk of COVID-19 infection.

10. **Staffing, services, and PPE.** I order the Commissioners of Administration, Health, and Human Services to coordinate and provide proposals to support best-effort responses to allocate and distribute, as resources become available, appropriate staffing, services, and PPE to support at-risk and homeless populations and staff serving those populations in the following kinds of settings, where over 200,000 at-risk Minnesotans are living or receiving services: encampments, shelters, isolation settings, group homes, licensed residential settings for people with mental illness, licensed residential settings for people with substance use disorders, locations where personal care assistants provide services, affordable housing development, housing with services, boarding care, board and lodges, site-based supportive housing, skilled nursing facilities, child foster care (family and corporate), child residential facilities, and county and tribal child and adult protection.
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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.


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 13, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor
Emergency Executive Order 20-56: Safely Reopening Minnesota’s Economy and Ensuring Safe Non-Work Activities 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 continues to present an unprecedented and rapidly evolving challenge to our State. Since the World Health Organization (“WHO”) characterized the COVID-19 outbreak as a pandemic on March 11, 2020, confirmed cases of COVID-19 in Minnesota have rapidly increased. 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, and on March 21, 2020, the Minnesota Department of Health (“MDH”) announced the first confirmed fatality due to COVID-19 in Minnesota.

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. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

The need to slow the spread of the virus required the closure of certain non-critical businesses in our economy. Consistent with national trends, over 650,000 Minnesotans have applied for unemployment insurance since March 16, 2020. In Executive Order 20-33, seeking to balance public health needs and economic considerations, I directed the Commissioners of Health, Employment and Economic Development, and Labor and Industry to begin planning to allow more Minnesota workers to return to work when it is safe to do so. I explained that such a plan must include guidelines and requirements for appropriate social distancing, hygiene, and public health best practices. Executive Order 20-38 expanded exemptions related to outdoor recreational activities and facilities. Executive Orders 20-40 and 20-48 allowed for certain non-critical businesses to reopen after they had planned for and provided a safe work environment.

In light of our increased preparedness to treat those most vulnerable to COVID-19 and mitigate these ongoing economic impacts, this Executive Order continues our plan to safely reopen our economy by allowing even more
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non-critical businesses to reopen, provided that they follow guidance from MDH, the Department of Employment and Economic Development (“DEED”), and the Department of Labor and Industry (“DLI”). In particular, such businesses must ensure compliance with the Minnesota Occupational Safety and Health Act of 1973, Minnesota Statutes 2019, Chapter 182 (“Minnesota OSHA Standards”), in addition to guidelines related to COVID-19 set forth by MDH and the Centers for Disease Control and Prevention (“MDH and CDC Guidelines”).

Despite the progress we have made since declaring the COVID-19 peacetime emergency, certain establishments—including those in which people gather and linger, those with communal facilities, and those in which close physical contact is expected—continue to pose a public health risk. We must continue to carefully consider and prepare for the reopening of such businesses.

Likewise, certain non-work activities outside of the home are conducive to social distancing and hygiene, while others raise significant public health risks. Large social and other gatherings of people for extended time periods raise the risk of COVID-19 transmission from household to household. The risks of such transmission are diminished in transitory settings, such as retail establishments, where individual interactions and contact are more limited in duration.

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.” This includes “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.

For these reasons, I order as follows:

1. Executive Order 20-48 is rescinded as of Sunday, May 17, 2020 at 11:59 pm.

2. Paragraphs 6 through 8 of this Executive Order are effective as of Sunday, May 17, 2020 at 11:59 pm and remain in effect through Sunday, May 31, 2020 at 11:59 pm.

3. **Masks and face coverings strongly encouraged.** I strongly encourage all Minnesotans to wear a manufactured or homemade cloth face covering when they leave their homes and travel to any public setting where social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies) and to follow face covering guidelines issued by MDH and the CDC until this Executive Order is rescinded. Such face masks and coverings are for source control (to help limit the person wearing the covering from infecting others). They are not yet known to be protective of the wearer and therefore are not personal protective equipment.

4. **At-risk persons.** All persons currently living within the State of Minnesota who are at risk of severe illness from COVID-19, as defined by Executive Order 20-55, are strongly urged to stay at home or in their place of residence and follow the provisions of Executive Order 20-55.

5. **Definitions.**
   a. “Home” and “homes” and “residence” and “residences” are broadly defined to include mobile homes, hotels, motels, shared rental units, shelters, and similar facilities, to the extent they are used for lodging.
   
   b. “Worker” and “workers” are broadly defined to include owners, proprietors, employees, contrac-
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tors, vendors, volunteers, and interns.

c. “Business” and “businesses” are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments.

d. “Critical Businesses” are all businesses whose workers qualified for a Critical Sector exemption under paragraph 6 of Executive Order 20-48.

e. “Non-Critical Businesses” are all businesses that are not Critical Businesses and are not closed under Executive Orders 20-04, as amended by Executive Orders 20-08 and 20-18.

6. Activities outside of the home. Mindful that we must continue to limit social interactions to protect public health, individuals may leave their homes for activities, subject to the requirements and guidelines set forth below. These requirements 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 the State’s COVID-19 website (https://mn.gov/covid19/).

a. Guidelines. Individuals engaging in activities outside of the home must follow the requirements of this Executive Order and MDH and CDC Guidelines. Individuals engaging in outdoor activities must follow the Minnesota Department of Natural Resources (“DNR”) and MDH guidelines on outdoor recreation and guidelines for facilities and the public (“Outdoor Recreation Guidelines”) available at DNR’s website (https://www.dnr.state.mn.us/covid-19.html).

b. Unnecessary travel strongly discouraged. Consistent with federal guidance and to protect our neighbors, Minnesotans are encouraged to stay close to home and are strongly discouraged from engaging in unnecessary travel.

c. Gatherings. All gatherings of more than 10 people are prohibited. Gatherings are groups of individuals, who are not members of the same household, congregated together for a common or coordinated social, civic, community, faith-based, leisure, or recreational purpose—even if social distancing can be maintained. This prohibition includes planned and spontaneous gatherings, public and private gatherings, and indoor and outdoor gatherings. Examples of prohibited gatherings include, but are not limited to, social, civic, community, faith-based, or leisure events, sporting or athletic events, performances, concerts, conventions, fundraisers, parades, fairs, and festivals that bring together more than 10 people from more than one household. Prohibited gatherings do not include commercial activity by workers and customers of Critical and Non-Critical Businesses.

i. Legislative and other governmental meetings. The limits on gatherings in this Executive Order do not apply to legislative and other governmental meetings. Remote meetings are strongly encouraged whenever possible.

ii. The Judicial Branch. The limits on gatherings in this Executive Order do not apply to proceedings held by the Minnesota Judicial Branch. Proceedings held by the Judicial Branch are subject to the policies established by the chief justice and will occur as directed by court order. Individuals may appear as directed by a Minnesota state court, including to serve as a juror, appear as a party, as a witness, or as legal counsel on behalf of a party, or otherwise to comply as directed by a court order, subpoena, or summons.

iii. Federal activities. 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.

iv. Drive-in gatherings. To enable safe congregation of more than 10 people, drive-in gatherings are permitted, provided that all participants remain within their own vehicles and follow guidelines provided by MDH and available at MDH’s website (https://www.health.state.mn.us/diseases/coronavirus/).
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d. **Tribal Activities and 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.

7. **Workers and Businesses.** Workers and businesses are subject to the requirements set forth below.

a. **Extension of temporary closure of bars, restaurants, and other places of public accommodation.** The closure of bars, restaurants, and other public accommodations set forth in Executive Order 20-04, as amended by Executive Orders 20-08 and 20-18, is extended until May 31, 2020 at 11:59 pm. Barbershops and salons may continue to conduct retail product sales in accordance with the requirements for Non-Critical Businesses set forth below.

b. **Plan to reopen bars, restaurants, and other places of public accommodation.** The Commissioners of Health, Employment and Economic Development, and Labor and Industry are directed to develop a phased plan to achieve the limited and safe reopening of bars, restaurants, and other places of public accommodation beginning on June 1, 2020. This plan will be ready for presentation to the public no later than May 20, 2020.

c. **Continue to work from home whenever possible.** Any worker who can work from home must do so.

d. **Critical Businesses.** Businesses whose workers qualified for a Critical Sector exemption under paragraph 6 of Executive Order 20-48 may continue to operate in the same manner as provided in Executive Order 20-48.

i. **Child care businesses and youth programming.** Child care providers and other businesses providing care and programming to children and youth of Critical Businesses, including workers in child care centers, family child care, certified centers, youth summer programming (including day camps but not overnight camps), and other activities and facilities, are Critical Businesses. These businesses are encouraged to prioritize enrollment for workers in Critical Businesses according to guidance provided by the Children’s Cabinet and other agencies. This category continues to include workers in a personal home, such as family, friend, and neighbor care necessary for workers to continue to perform their duties. These settings must adhere to MDH and CDC Guidelines.

e. **Non-Critical Businesses.** If it has not done so already, a Non-Critical Business choosing to open or remain open must establish and implement a COVID-19 Preparedness Plan (“Plan”). Each Plan must provide for the business’s implementation of Minnesota OSHA Standards and MDH and CDC Guidelines in their workplaces. These requirements are set forth in guidance published by DEED and DLI (“Plan Guidance”) available on DEED’s website (https://mn.gov/deed/safework/).

i. **Required Plan content.** As set forth in the Plan Guidance, at a minimum, each Plan must adequately address the following areas:

   A. **Require work from home whenever possible.** All Plans must ensure that all
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workers who can work from home continue to do so.

B. Ensure that sick workers stay home. All Plans must establish policies and procedures, including health screenings, that prevent sick workers from entering the workplace.

C. Social distancing. All Plans must establish social distancing policies and procedures.

D. Worker hygiene and source control. All Plans must establish hygiene and source control policies for workers.

E. Cleaning, disinfection, and ventilation protocols. All Plans must establish cleaning, disinfection, and ventilation protocols for areas within the workplace.

ii. Customer facing businesses. All Non-Critical Businesses that are customer facing (i.e., businesses that have in-person customer interactions) must include additional Plan provisions to keep the public and workers safe as set forth in the Plan Guidance available on DEED’s website (https://mn.gov/deed/safework/). This includes requirements that workers and customers must maintain physical distancing of 6 feet and that store occupancy must not exceed 50 percent of the normal occupant capacity as determined by the fire marshal. In customer facing businesses that share common areas, such as malls, all Plans must similarly include a facility occupancy that must not exceed 50 percent of the normal occupant capacity as determined by the fire marshal and provide an enhanced sanitizing, cleaning, and disinfecting regimen consistent with Minnesota OSHA Standards and MDH and CDC Guidelines for those common areas. All Plans must also include signage in common areas to discourage gathering.

iii. Household services businesses. All Non-Critical Businesses that provide household services (e.g., housecleaning, maid services, and piano tuners) must also develop Plan provisions intended to keep customers and workers safe as set forth in the Plan Guidance available on DEED’s website (https://mn.gov/deed/safework/).

iv. Optional template. A template COVID-19 Preparedness Plan, which covers the above requirements, is available as part of the Plan Guidance, available on DEED’s website (https://mn.gov/deed/safework/).

v. Certification and signature. Senior management responsible for implementing the Plan must sign and certify the Plan, affirming their commitment to implement and follow the Plan.

vi. Dissemination and posting. Each Non-Critical Business must provide its Plan, in writing, to all workers, and the Plan must be posted at all of the business’s workplaces in locations that will allow for the Plan to be readily reviewed by all workers. Where physical posting is impracticable, the Plan can be posted electronically, provided that the Plan is received by all workers and remains available for their review.

vii. Training. Each Non-Critical Business must ensure that training is provided to workers on the contents of its Plan and required procedures, so that all workers understand and are able to perform the precautions necessary to protect themselves and their co-workers. This training should be easy to understand and available in the appropriate language and literacy level for all workers. Businesses should also take steps to supervise workers and ensure that workers understand and adhere to necessary precautions to prevent COVID-19 transmission. Documentation demonstrating compliance with this training requirement must be maintained and made available to regulatory authorities and public safety officers, including DLI, upon request.

viii. Compliance. Employees and management must work together to ensure compliance with the Plan, implement all protocols, policies, and procedures, and create a safe and healthy
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work environment.

ix. **Availability to regulatory authorities and public safety officers.** Non-Critical Businesses do not need to submit their Plans for preapproval. Upon request, Non-Critical Businesses must make their Plans available to regulatory authorities and public safety officers, including DLI.

x. In the event of a complaint or dispute related to a Non-Critical Business’s Plan, DLI is authorized to determine whether the Plan adequately implements Minnesota OSHA Standards and MDH and CDC Guidelines in its workplaces.

f. Executive Order 20-54 remains in full force and effect. All work must be conducted in a manner that adheres to Minnesota OSHA Standards and MDH and CDC Guidelines, including social distancing and hygiene practices. Under existing law and authority, DLI may issue citations, civil penalties, or closure orders to places of employment with unsafe or unhealthy conditions, and DLI may penalize businesses that retaliate against employees who raise safety and health concerns.

8. **Outdoor recreational activities and associated facilities.** Notwithstanding Executive Orders 20-04, 20-08, and 20-18, the below facilities are permitted to be open and do business, provided that they adhere to paragraph 6 of this Executive Order and the Outdoor Recreation Guidelines available at DNR’s website (https://www.dnr.state.mn.us/covid-19.html). This permission does not extend to charter boats, launches, or facilities that involve prohibited gatherings or people in groups or close proximity (e.g., mini golf, pools, commercial outdoor racetracks, and concert venues). **Indoor facilities** associated with outdoor recreational facilities covered by Executive Orders 20-04, 20-08, and 20-18, must comply with those Executive Orders, and all indoor facilities associated with outdoor recreational facilities must also conform with the provisions of paragraph 7 of this Executive Order. I encourage public outdoor recreational facilities be open for families and children, and direct all individuals utilizing such facilities to follow the Outdoor Recreation Guidelines. All outdoor recreational activities and facilities must comply with Minnesota law, including but not limited to license and permit requirements, invasive species regulations, and park rules.


b. Locally, regionally, and privately managed parks and trails.

c. State, regional, or local public water accesses.

d. Public and private marinas and docks that provide storage, docking, and mooring services to slip owners, seasonal renters, and the general public, as well as facilities that provide safety-related services including fueling, emergency dockage, and sanitary pump-out stations.

e. Public and private golf courses and outdoor driving ranges.

f. Ski areas.

g. Off-highway vehicles, snowmobiles, and watercraft repair shops, sales facilities, and showrooms.

h. Lake service providers to install, repair, and remove docks, boatlifts, and other water related equipment or deliver boats.

i. Bait and tackle shops.

j. Outdoor shooting ranges and game farms.

k. Outdoor recreational equipment rental outlets. Equipment may be rented but only if the equipment can be effectively sanitized between uses. Such outlets must implement clear check-in and check-out procedures that minimize contact between customers and workers. Any rentals must be conducted in accordance with the Outdoor Recreation Guidelines.
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1. Dispersed and remote camping sites for single household use. A dispersed campsite is a single campsite, not in a developed campground, used for overnight camping. A remote campsite is a designated backpack or watercraft campsite, not in a developed campground, used for overnight camping. Both private and public developed campgrounds remain closed to recreational camping.

m. Outdoor tournaments, competitions, practices, and sports that allow for social distance, do not require group gatherings prohibited by paragraph 6.c, and that adhere to the Outdoor Recreation Guidelines.

n. Small one-on-one or one-on-two person guided and instructional activities such as guided fishing, birding, or outdoor fitness training. Guided and instructional activities must be conducted in accordance with the Outdoor Recreation Guidelines.

o. Any other outdoor recreation activities and facilities that may be designated in the Outdoor Recreation Guidelines.

9. Minnesotans must respect the efforts of employers or businesses to protect the safety of their workers and customers by complying with those businesses' social distancing and hygiene instructions. Employers must post social distancing and hygiene instructions at entrances and in locations that can be easily seen by customers and visitors.

10. I urge all Minnesotans to voluntarily comply with this Executive Order. Pursuant to Minnesota Statutes 2019, section 12.45, an individual 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. Any business owner, manager, or supervisor who requires or encourages any of their employees, contractors, vendors, volunteers, or interns to violate this Executive Order is guilty of a gross misdemeanor and upon conviction must be punished by a fine not to exceed $3,000 or by imprisonment for not more than a year. In addition to those criminal penalties, the Attorney General, as well as city and county attorneys, may seek any civil relief available pursuant to Minnesota Statutes 2019, section 8.31, for violations of this Executive Order, including civil penalties up to $25,000 per occurrence from businesses and injunctive relief. Nothing in this Executive Order is intended to encourage or allow law enforcement to transgress individual constitutional rights.

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.


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 13, 2020:

Alice Roberts-Davis
Secretary, Executive Council
Office of the Governor
Emergency Executive Order 20-57: Authorizing and Directing the Commissioner of Education to Allow for a Safe and Effective Summer 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:

The COVID-19 pandemic presents an unprecedented challenge to our State. 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. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

On March 15, 2020, I issued Executive Order 20-02, directing schools to close to students and to engage in a planning period ("Closure Period"). On March 25, 2020, I issued Executive Order 20-19, directing the Commissioner of Education ("Commissioner") to implement a distance learning period beginning on March 30, 2020 through May 4, 2020 ("Distance Learning Period"). On April 23, 2020, I issued Executive Order 20-41, directing the Commissioner to extend the Distance Learning Period until the end of the 2019-2020 school year ("Extended Distance Learning Period"). The Distance Learning Period and Extended Distance Learning Period allowed school staff to provide continuity of education while also preserving the health, safety, and lives of students, their families, school staff, and the public. All Minnesota public school facilities have remained closed for typical in-school instruction but remain open to provide meals to children. Schools also provide onsite care to school-aged children of certain workers in critical sectors ("Eligible Children") as defined by the Minnesota Department of Education ("MDE") guidance. Additionally, in Executive Order 20-41, I authorized the Commissioner, in consultation with the Minnesota Department of Health ("MDH"), to identify specific activities that could be conducted at school facilities in compliance with public health guidelines on masking, social distancing, personal hygiene, screening, and cleaning practices ("Public Health Guidelines").

Due to our efforts to slow the spread of COVID-19, support health care capacity, and promote collective health, we are able to slowly allow some activities and businesses to resume with adherence to public health best practices and directives. Given education’s critical importance to our students, families, and economy, our safe and gradual reopening should also include our schools. While the Extended Distance Learning Period remains in effect, we must prepare for the possibility of in-school learning during the summer months, subject to Public Health Guidelines to keep our students, staff, and communities safe. Robust community dialogue and engagement have shown that our school communities and in-school learning play an incredibly important role for many students and families. Schools are particularly important to communities challenged by a lack of technology and broadband access, connection and engagement opportunities, and mental and physical health supports. Following Public Health Guidelines opens the possibility of providing in-school learning safely and meaningfully.

In collaboration with MDH and the Centers for Disease Control and Prevention ("CDC") and pursuant to directives in Executive Order 20-41, MDE has determined that a school district or charter school may safely open its building for a hybrid model of in-school learning and distance learning this summer for students eligible for summer learning or extended learning year services. To preserve the health, safety and lives of students, their families, school staff, and the public, and to provide continuity of education during the COVID-19 pandemic, most school districts and charter schools providing summer learning opportunities need to implement hybrid models with alternating schedules between distance learning and in-school learning. This allows all participating students access to both experiences in a safe and meaningful manner. Under certain circumstances, a school district or charter school may continue summer learning and extended learning year services wholly through a distance learning model.

Reaching all children equitably must continue to be a priority, especially children of color, indigenous children, immigrant children, low-income families and communities, and people who have disabilities. Access to mental health services and support, hands-on student education and support, broadband and devices, and consistent instructional expectations continue to be concerns for many students. Responding to these challenges will take innovation and
public-private collaboration. Our educators stand ready to meet this need. Opportunities for in-school learning and other activities will provide the engagement, support, and access lacking for many of our communities through the distance learning model.

We continue to extend our deepest gratitude to all our school staff for their dedication to students, especially during these challenging Distance Learning and Extended Distance Learning Periods. Their continued innovation and direct outreach to students will be integral to providing summer learning opportunities in safe and meaningful ways.

Care for Eligible Children has been crucial for our workers in critical sectors to confront this pandemic. I am grateful that school districts and charter schools have provided this care during the Closure Period, Distance Learning Period, and Extended Distance Learning Period. I encourage school districts and charter schools, to the extent possible, to continue to provide this care during the summer period. In consultation with the Minnesota Children’s Cabinet, MDE will continue to provide guidance regarding child care, enrichment, and learning during the summer period. All programs serving children must follow Public Health Guidelines.

In Minnesota Statutes 2019, section 12.02, 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.

Under Minnesota Statutes 2019, section 12.21, subdivision 3(11), the Governor may authorize the Commissioner “to alter school schedules, curtail school activities, or order schools closed.” Pursuant to subdivision 3(1) of the same section, the Governor may also “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.

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 website (https://www.health.state.mn.us/diseases/coronavirus/).

2. Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(11), and paragraph 19 of Executive Order 20-41, I authorize and direct the Commissioner, in consultation with the Commissioner of Health, to allow school districts and charter schools to offer summer programs and extended school year services through either a distance learning model or a hybrid model that employs both distance learning and in-school learning. For the purposes of this Executive Order, the period covering these distance learning or hybrid models set forth in this paragraph is referred to as the “Summer Learning Period.” The Summer Learning Period begins after the end of each school district’s and charter school’s respective 2019-2020 school year calendars and ends before their respective 2020-2021 school year calendars.

3. Executive Order 20-19 and Executive Order 20-41 remain in full effect except as explicitly modified by this Executive Order.

4. School districts and charter schools must provide at least two days for staff planning before their respective Summer Learning Period.

5. Pursuant to paragraph 20 of Executive Order 20-41, I direct the Commissioner, in consultation with the Commissioner of Health, to continue to update guidance for distance learning and a hybrid model during the Summer Learning Period (“MDE Guidance”).
Executive Orders

6. School districts and charter schools must comply with Public Health Guidelines, MDE Guidance, and paragraphs 1, 8, and 9 of this Executive Order.

7. If a school district or charter school adopts a hybrid model, it must provide students, teachers, and staff with a teaching and learning environment that complies with Public Health Guidelines.

8. To the extent possible, a school district or charter school must provide accommodations for staff to work remotely when in-person instruction or service is not required. If staff must report to their respective buildings during this Summer Learning Period, activities must be performed in accordance with MDE Guidance and Public Health Guidelines.

9. Consistent with applicable labor agreements, school districts and charter schools are encouraged to negotiate resources for contracted staff supporting summer learning, including, but not limited to, wages, benefits, work schedules, access to appropriate personal protective equipment, and public health protocols for safe and healthy teaching and learning conditions.

10. During the Summer Learning Period, all public schools providing summer programs and extended school year services for students must do so according to the plans developed during the planning period and pursuant to applicable federal and state statutes.

11. During the Summer Learning Period, all public schools must provide access to meals during the school day. If a school district or charter school is unable to directly provide meals to students, it must provide information and resources to families that would allow them to access meals.

12. School districts and charter schools must notify MDE of their choice between the distance learning or hybrid model no later than one week before the beginning of their respective Summer Learning Period.

13. School districts and charter schools that conclude their respective 2019-2020 school year before the originally planned date must report that change to MDE by May 29, 2020.

14. School districts and charter schools must make all reasonable efforts to provide reports to MDE on the provision of care to Eligible Children, meal delivery and nutrition services, and access to internet and devices.

15. School districts and charter schools must electronically post their respective Summer Learning Period plans and communicate them to students and their families no later than one week before the beginning of their respective Summer Learning Period. School districts and charter schools must make all attempts to provide such communications orally and written in languages spoken in their respective school district or charter school. The Summer Learning Period plans must address, but not be limited to, communication pathways with students and families, community input on student and family needs, and other outreach opportunities. This is in addition to core instruction, supports for all student groups, nutrition, school-age care, technology needs, and effective delivery of educational models to students in a distance learning or hybrid model setting.

16. This order applies to all schools as set forth in Minnesota Statutes 2019, section 12.21, subdivision 3(11). I continue to encourage tribal and nonpublic schools to fulfill the spirit and directives of this Executive Order.

17. Upon recommendation from the Commissioner of Health, school districts and charter schools may begin their 2020-2021 school year based on their respectively approved school calendars. I direct the Commissioner, in consultation with the Commissioner of Health, to develop an educational model that balances in-school and distance learning methods if a typical, in-building school year is not possible due to the COVID-19 pandemic and the need to protect the health and safety of students, their families, school staff, or the public.

18. School districts and charter schools may provide care to all children but must continue to prioritize onsite care for Eligible Children. School districts and charter schools may provide such care through community education programs and other program options and may charge fees in line with their normal sliding fee scale.
19. Upon approval by the Executive Council, during the Summer Learning Period and until August 15, 2020, school districts and charters must allow 2019-2020 graduating seniors to complete any testing required to attain a state bilingual or multilingual seal under Minnesota Statutes 2019, section 120B.022, subdivision 1b.

20. I encourage school districts and charter schools to allow students, during the Summer Learning Period, to retain any technology provided to them before, during, or after the Distance Learning Period and the Extended Distance Learning Period. I also encourage school districts and charter schools to continue to provide maintenance for this technology during the Summer Learning Period.

21. I encourage school districts and charter schools to target their Elementary and Secondary School Emergency Relief funds provided under the Coronavirus Aid, Relief, and Economic Security Act toward enhanced technology and internet access, summer programs, and ongoing mental health supports for students.

22. Upon approval by the Executive Council, the following payments received by Minnesotans as the result of the COVID-19 pandemic must not be counted as income when determining eligibility for the early learning scholarships program, pursuant to Minnesota Statutes 2019, section 124D.165, administered by MDE:

   a. Federal CARES Act payments of up to $1,200 per adult and $500 per child.
   b. State government payments issued to individuals to relieve the adverse economic impact caused by the COVID-19 pandemic.
   c. Local government payments issued to individuals to relieve the adverse economic impact caused by the COVID-19 pandemic.
   d. Tribal government payments issued to tribal members to relieve the adverse economic impact caused by the COVID-19 pandemic.

23. Upon approval by the Executive Council, when determining eligibility for the programs administered by MDE, the above payments will not be counted as assets, personal property, or resources.

24. Upon approval by the Executive Council, school districts and charter 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 and the Summer Learning Period.
   b. To pay additional transportation costs incurred between March 30, 2020 and the end of the 2019-2020 school year, and during the Summer Learning Period, needed to implement this Executive Order in providing distance learning instruction and meal delivery.
   c. To pay for additional costs related to technology needed to provide distance learning instruction.
   d. To pay the portion of staff salary and benefits of employees paid through the community service fund normally funded by fees that were refunded, waived, or otherwise not paid during the Closure Period, Distance Learning, Extended Distance Learning, and Summer Learning periods.
   e. To pay the portion of food service fund staff salary and benefits normally funded by meal reimbursement revenue during the Closure Period, Distance Learning, Extended Distance Learning, and Summer Learning periods.
   f. A fund transfer is allowed if the transfer does not increase state aid obligations to the school district or charter school or result in additional property tax authority for the school district. A transfer is limited to the operating funds of a school district or charter school. A school board must approve a fund transfer by the fiscal year reporting deadline. A school district or charter 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
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.


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 15, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-58: Authorizing the Minnesota Public Utilities Commission to Hold Remote Meetings as Necessary to Protect Health and Safety

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. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

The Minnesota Public Utilities Commission ("PUC") is charged with regulating electricity, natural gas, and telecommunications service in Minnesota. The PUC also considers whether to issue certificates and permits for large energy facilities. These services are essential in ensuring that Minnesotans continue to receive safe, reliable, and affordable energy and telecommunications service, and to allow the development of important infrastructure.

The PUC has procedures in place to provide the public an opportunity to engage with its decision-making. This engagement often involves holding in-person meetings for the public to learn about potential projects and provide feedback to the agency. These meetings are an important opportunity for the public to interact with the PUC, its staff, and the applicants requesting action from the PUC. Additionally, in some situations the PUC, or the Office of Administrative Hearings ("OAH") on behalf of the PUC, is required by statute or rule to hold these meetings in certain locations based
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on proximity to proposed project sites.

The Minnesota Open Meeting Law, Minnesota Statutes 2019, Chapter 13D, requires meetings of public bodies to be available for members of the public. However, Minnesota Statutes 2019, 13D.021, permits public bodies to hold meetings via telephone or other electronic means if a determination is made by the public body that an in-person meeting “is not practical or prudent because of a health pandemic or an emergency declared under chapter 12.” During the current COVID-19 peacetime emergency, many public bodies, state agencies, and other organizations in Minnesota, including the Executive Council, have held remote meetings accessible to the public. Such meetings allow for public engagement without threatening the public health.

The PUC faces a unique challenge: unlike other boards and commissions, some meetings held by the PUC (or by OAH on behalf of the PUC) are not subject to the Open Meeting Law but are required to be in-person and at a specific location. During the COVID-19 pandemic, these in-person meetings pose a significant risk to public health and safety. In Executive Order 20-56, I directed Minnesotans to avoid unnecessary travel, prohibited gatherings of more than 10 people, and urged governmental bodies to hold remote meetings when possible. Requiring the PUC to conduct in-person meetings would expose members of the public and state employees to unreasonable health and safety risks. Holding PUC meetings remotely during the peacetime emergency will help limit the spread of COVID-19 and safely allow members of the public to learn about and provide feedback regarding potential projects.

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 that 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 Minnesota Statutes 2019, section 12.21, subdivision 3(1), 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.

For these reasons, I order as follows:

1. For the duration of the peacetime emergency, all requirements for the PUC to hold in-person meetings, hearings, or other gatherings may be met by holding meetings conducted by telephone and other electronic means in accordance with Minnesota Statutes 2019, section 13D.021. The meetings, hearings, or other gatherings that may be held remotely include, but are not limited to, those required by Minnesota Statutes 2019, sections 216B.243 and 216E.03, and Minnesota Rules 2019 parts 7849.1400, 7850.2300, 7850.2500, 7850.2600, 7850.3500, 7850.3800, and 7854.0900, and related meetings or hearings conducted by the Office of Administrative Hearings on behalf of the PUC.

2. Nothing in this Order should be construed to waive or modify the requirements of the Open Meetings Law, Minnesota Statutes 2019, Chapter 13D.

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.
Executive Orders


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on May 15, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor
Emergency Executive Order 20-59: Extending the Relief from Regulations for Motor Carriers and Drivers Operating in Minnesota Declared in Executive Orders 20-06 and 20-37

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 continues to present an unprecedented and rapidly evolving challenge to our State. With the goal of being proactive and getting ahead of the curve on COVID-19 prevention and response, I issued Executive Order 20-01 on March 13, 2020, 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. After notifying the Legislature, on April 13, 2020 and again on May 13, 2020, I issued Executive Orders extending the peacetime emergency declared in Executive Order 20-01.

The federal government has provided regulatory relief and guidance to ensure that truck drivers can continue to operate as efficiently as possible to deliver essential supplies. On March 13, 2020, the Federal Motor Carrier Safety Administration (“FMCSA”) issued a national emergency declaration that provides relief from certain safety regulations to carriers providing direct assistance to support emergency relief efforts. Due to the continued emergency conditions and recognizing that commercial truck drivers are critical to America’s supply chain, FMCSA has twice extended the initial declaration’s expiration date. Additionally, on March 27, 2020, the President signed the Coronavirus Aid, Relief and Economic Security Act, which includes important clarification regarding states’ authority to issue permits for overweight vehicles and loads on the Interstate when the President declares an emergency or major disaster under the Stafford Act. This provision will help ensure the continued free flow of critical relief supplies and other essential goods when responding to the recovery efforts during the current pandemic.

On March 17, 2020, I issued Executive Order 20-06, which provided relief from regulations for motor carriers and drivers operating in Minnesota and providing direct assistance to emergency relief efforts in response to COVID-19 by transporting essential supplies. On April 16, 2020, I issued Executive Order 20-37, extending the relief provided in 20-06 for another 30 days, ending on May 16, 2020. The need for relief identified in Executive Orders 20-06 and 20-37 still exists and must be extended.

The COVID-19 pandemic has significantly impacted the commercial trucking industry. As a result of business and school closures and many more people working and staying at home, consumer habits and supply and demand of products have changed, which has required carriers and drivers to be flexible in how they operate. Long-distance deliveries have decreased, while there has been a shift to local and regional transportation in response to increased demand for consumer goods, such as groceries and household supplies. As hospitals and other healthcare facilities care
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for patients during the COVID-19 pandemic, it is crucial to continue reliable transportation of medical supplies.

Minnesota Statutes 2019, sections 169.80, 169.823, and 169.824, provide weight limitations for vehicles operating on Minnesota roadways. Minnesota Statutes 2019, section 221.0314, subdivision 9, adopts federal safety regulations, including hours of service requirements for drivers. Minnesota Statutes, 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.”

As drivers fulfill the critical role of delivering essential supplies in a time of ongoing and unprecedented uncertainty, continued relief from certain regulations is needed to provide consistency and predictability to the commercial trucking industry. Strict enforcement of certain hours of service and weight restriction regulations would prevent or hinder efforts to ensure the efficient movement of essential supplies, including food, medical supplies, and household items, which are vital to the health and safety of all Minnesotans.

For these reasons, I order as follows:

1. A state of emergency exists in Minnesota that requires assistance from motor carriers to transport supplies to affected areas of the state. 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. Direct assistance means transportation by a motor carrier or its driver(s) incident to the immediate restoration and/or delivery of essential supplies including food, medical supplies, and household items, related to the COVID-19 pandemic.

2. The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.80, 169.823, and 169.824, are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of essential supplies including food, medical supplies, and household items transported in support of direct assistance to emergency relief efforts in response to COVID-19.

3. Suspension of these weight-related provisions, without the need for a permit, applies to loads transported on state and local roads within Minnesota. 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. Vehicles operating with a gross vehicle weight in excess of 80,000 pounds and providing direct assistance to emergency relief efforts in response to COVID-19 by transporting essential supplies may apply for a permit issued by the Minnesota Department of Transportation authorizing the vehicle to operate on the Interstate Highway System. The permit described in this paragraph is only valid while the national emergency declared by the President is in effect.

5. 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.

6. Motor carriers and drivers providing direct assistance to emergency relief efforts in response to COVID-19 by transporting essential supplies 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.

7. 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 driver’s licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
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8. 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.

9. 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.

10. 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 routine commercial deliveries, or 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.


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 State Agricultural Society (Minnesota State Fair)
Board of Managers Meeting Notice

The Minnesota State Agricultural Society board of managers will meet at 10 a.m. Friday, May 22 via a telephone conference call. The session will be a general business meeting. Information is available upon request by emailing fairinfo@mnstatefair.org with “board meeting” in the subject line.

Executive Council, State Board of Investment and Land Exchange Board
Official Meeting Notice

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Thursday, May 28, 2020 at 10:00 a.m. in G23 Senate Committee Room, State Capitol, 75 Rev. Dr. Martin Luther King Jr. Boulevard, St. Paul, MN or via Teleconference.
Official Notices

Notice will be posted at the SBI office and on the SBI Website at http://mn.gov/sbi. For more information, the State Board of Investment can be reached at minn.sbi@state.mn.us.

Some members of the Executive Council, State Board of Investment and Land Exchange Boards may participate in the meeting electronically. If a Board Member calls in, in accordance with Minnesota Statutes, section 13D.015, subd. 4, the Executive Council, State Board of Investment and Land Exchange Board shall, to the extent practical, allow a person to monitor the meeting electronically from a remote location. The person making a connection may be required to pay for documented marginal costs that the entity incurs as a result of the additional connection.

Minnesota Professional Educator Licensing and Standards Board

NOTICE TO CLOSE COMMENT PERIOD on Possible Amendment to Rules Governing Unit and Program Approval, Minnesota Rules, chapter 8705; Revisor’s ID Number: RD4576

On February 11, 2019, the Minnesota Professional Educator Licensing and Standards Board (PELSB) published its Request for Comments in the State Register to solicit feedback on possible amendments to the rules governing teacher preparation providers and programs (Minnesota Rules chapter 8705).

NOTICE IS HEREBY GIVEN that PELSB intends to close the comment period triggered by the Request for Comments on Monday, June 1, at 4:00 p.m. Central Time.

More information about this rulemaking, including a draft of the possible rule amendments and information about how to submit comments, is available online at https://mn.gov/pelsb/board/rulemaking/program-unit-rules/

Dated: May 18, 2020

Signed: Alex Liuzzi, Executive Director

Ramsey County

Public Notice

NOTICE IS GIVEN, to all persons and men worldwide that I, Kevin John Grell, grantee of special term adult name Order 9-18-2017 Ramsey County Court Case #62cv174372, pursuant to “AN ACT for the admission of the State of Minnesota into the Union”, (Thirty Fifth Congress of the United States of America: At the First Session, on the seventh day of December, one thousand eight hundred and fifty seven), hereby, acknowledge and accept said “ACT” and give notice of entry into the Union State of Minnesota and exit from the Territory. That I, Kevin John Grell, do now enter as heir to the Posterity of Minnesota the Union State and take possession to KEVIN JOHN GRELL 1963MN0090060 dated 6-18-1963.
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
Disability Services Division
Addendum to Request for Proposals to Provide Innovative Solutions for People with Disabilities to Achieve Integrated Life Outcomes

The Minnesota Department of Human Services through its Disability Services Division has published an Addendum to its Request for Proposal to Innovative Solutions for People with Disabilities to Achieve Integrated Life Outcomes that was published in the March 23, 2020 State Register. In the Addendum, we are adding innovative solutions to build and strengthen family-to-family connections. Individuals with disabilities and special health needs, particularly those ages 21 and under, exist within family systems, and the State seeks to improve supports for these critical family partners.

For any questions regarding the RFP Addendum, please contact:

Gaoly Yang, Innovation Grant Coordinator
Department of Human Services
Disability Services Division
P.O. Box 64967
444 Lafayette Road North, St. Paul, MN 55155-0967
Phone: (651) 431-2406, Fax: (651) 431-7563
DSD.Innovation@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 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.
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) Website. 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.

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**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](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.

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**Minnesota State Colleges and Universities (Minnesota State)**

**Lake Superior College**

**Request for Proposal for On-campus Child Care Services**

**NOTICE IS HEREBY GIVEN** that proposals are being solicited for child care services to be housed on-campus at Lake Superior College. It is desired that these services be available to the campus as well as the community at large.

For additional information or to request a copy of the Request for Proposal, please contact:

Mike Francisco, Purchasing
Lake Superior College
2101 Trinity Road, Duluth MN 55811
P: 218-733-5968 E: purchasing@lsc.edu

A copy of the RFP can also be found at [https://www.lsc.edu/rfp/](https://www.lsc.edu/rfp/). Proposals are due at the Lake Superior College Business Office by 4:00pm CT on Monday, June 22, 2020.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.
Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Request for Proposal (RFP) for Chartered Bus Service for Athletic Trips

Notice is hereby given that Winona State University is seeking proposals for CHARTERED BUS SERVICE FOR ATHLETIC TRIPS. Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to lmann@winona.edu. Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Winona, MN 55987 or Business Office, Somsen Hall 106, by Thursday, June 11, 2020, 3:00 p.m. CT. Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Department of Human Services

Background Studies Division

Official Notice in Regards to Request for Proposals to Provide Statewide Live Scan Fingerprint Services

The Minnesota Department of Human Services through its Background Studies Division is posting Official Notice in Regards to the Request for Proposal to Provide Statewide Live Scan Fingerprint Services that was published in the October 28, 2019 State Register.

Official Notice:

The requirement for background study subjects to be fingerprinted was temporarily waived, effective April 6, 2020, under authority provided in Governor Walz’s Executive Order 20-12. Due to the COVID-19 pandemic and the resulting shift in priorities concerning background studies, additional time is needed to finalize vendor selection process. Notification will be provided, per the process described in the RFP, when complete. More information about background study changes related to the peacetime emergency order in Minnesota is available on the background studies division web page.

For questions, contact:

Michelle Long
Department of Human Services
Background Studies Division
444 Lafayette Road, P.O. Box 64172
St. Paul, MN 55155
Phone: (651) 651-431-6711, Fax: 651-431-7670
Michelle.Long@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.

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.
State Contracts

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

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

SUBSCRIBE TO THE STATE REGISTER!