

# HF 4531 – COVID-19 Response Efforts

## Article 1 COVID-19 Response Appropriations

### Section 1: Driver and Vehicle Services Temporary Staffing

- \$2.4m from the Vehicle Services Operating Account to DPS to hire temporary employees to process drivers licenses and ID cards.
- DPS may only hire enough staff necessary to achieve an average turnaround time of 45 days.

### Section 2: Peacetime Emergency Childcare Grants

- Child Care Aware is authorized to administer emergency grants to eligible programs.
- To the extent practicable, grants shall be awarded in a manner that achieves regional balance and equitable distribution throughout the state and among provider types.
- Eligible programs include:
  - Family and group family day care homes
  - Child care centers
  - Tribally licensed child care programs
- Eligible facilities must have a license in good standing.
- To receive a grant applicants must agree to:
  - Prioritize spaces for children of essential workers
  - Maintain services for the period of the grant or until the peacetime public health emergency ends
  - Use health and safety practices to prevent the spread of COVID-19
- DHS must provide ongoing guidance to child care providers on health and safety practices to prevent the spread of COVID-19.
- Eligible programs may receive a monthly grant award of \$4500. An additional \$1000 is available if the program serves children:
  - During nonstandard hours, including overnight and weekends
  - Whose first language is not English
  - Who have special needs
- Programs licensed to serve 15+ children are eligible for an additional grant up to \$15,500.
- Programs may charge fees to families. They may not require fees from families whose children were attending prior to the peacetime emergency but who are no longer attending.
- Programs must allow children who were attending prior to the peacetime emergency to re-enroll after the peacetime emergency ends provided the program has capacity and their families have not violated the terms of their contact.
- Programs must serve children who are not children of essential workers, provided the program has the capacity to do so.
- Authority to award grants expires the day the peacetime emergency ends.
- \$29.964m is appropriated from the General Fund to DHS for grants. \$450,000 of that amount is for Child Care Aware for Administration Expenses.

### Section 3: Military Veterans COVID-19 Response Assistance

- \$6.2m from the General Fund to the Department of Veterans Affairs.
- Funding must be used to provide financial assistance to any veteran or surviving spouse of a veteran in need of assistance as a result of COVID-19. Assistance may be used for emergency financial relief, hospitalization assistance, medical care or treatment, or any other COVID-19 related assistance as determined by the Department.
- Funding is available until June 30, 2021.

### Section 4: Appropriation; Food Shelf Programs

- \$9m from the General Fund to DHS for food shelf programs to address food bank, food shelf, and transportation needs in responding to the COVID-19 pandemic.
- Hunger Solutions will allocate the funds.
- Grant funds shall be used to:
  - Support regional food banks to enable specialized response to community needs
    - \$3m of the appropriation must be for this purpose
  - Allow food shelves to purchase food, diapers, toilet paper, and other necessary supplies
  - Support a network of transportation organizations to assist in the distribution of food and supplies to persons affected by COVID-19
- Funding is available until June 30, 2021.

### Section 5: Appropriation; Housing Support

- \$5.53m from the General Fund to DHS to increase room and board limits and rates and supplementary service limits and rates by 15% for three consecutive months to maintain access to room and board from March 1, 2020 through May 31, 2020.
- Providers must submit documentation demonstrating that increased funding was used for COVID-19 response by October 1, 2020.

### Section 6: Appropriation; Emergency Services Grants

- \$26.537m from the General Fund to DHS for emergency services grants, divided as follows:
  - \$15.206m for providing additional shelter space; for purchasing vouchers for the cost of a motel or hotel room; or for funding other housing options. This is in order to provide housing that promotes health and safety OR to isolate homeless individuals exposed to COVID-19 or who are experiencing respiratory illness.
  - \$5m for purchasing hygiene, sanitation, and cleaning supplies.
  - \$6.331m for hiring staff necessary to protect the health and wellness of program recipients, for increasing the number of persons served, or for providing staffing when workers are quarantined or cannot work because of COVID-19.
- DHS may transfer funds between the designated activities as necessary.
- DHS may use a single fiscal agent to allocate funds to programs, providers, and organizations.
- If a grant recipient receives funds from a nonstate source, other than a local unit of government or a tribe, for the activities listed above, the recipient must notify DHS. If the amount the recipient received is beyond the recipient's costs the recipient must pay DHS back. Funds are deposited back into the General Fund.
- Appropriation is available until February 1, 2021 or until 60 days after the peacetime emergency expires, whichever is earlier.

## Section 7: COVID-19 Minnesota Fund

- The COVID-19 Minnesota Fund is created to pay expenditures related to the peacetime emergency.
- Money is appropriated to MMB who may then transfer it to state agencies to:
  - Protect Minnesotans from COVID-19
  - Maintain state government operations
- Funding cancels back to the General Fund on May 11, 2020.
- A Legislative COVID-19 Response Commission is created is established to review the expenditures from the COVID-19 Minnesota Fund. Members include:
  - Majority leader of the Senate
  - Minority leader of the Senate
  - President of the Senate
  - Chair of Senate Finance
  - Ranking Minority of Senate Finance
  - Speaker of the House
  - Majority leader of the House
  - Minority leader of the House
  - Chair of Ways & Means
  - Ranking Minority of Ways & Means
- MMB must make regular reports to the committee on proposed expenditures and the committee may approve or disapprove.
- This section expires May 11, 2020.

## Section 8: Final Report

- MMB must make a final report on expenditures made under section 7 by July 15, 2021.

## Section 9: Transfer

- \$200,000 is transferred from the general fund to the COVID-19 Minnesota Fund.

## Section 10: Tribal Nations Grants

- \$11m from the General Fund to the Department of Revenue for grants to fund emergency response activities. Grants of up to \$1m are available to:
  - Fond du Lac Band
  - Grand Portage Band
  - Mille Lacs Band
  - White Earth Band
  - Bois Fort Nett Lake Band
  - Leech Lake Band
  - Red Lake Nation
  - Upper Sioux Community
  - Lower Sioux Community
  - Shakopee-Mdewakanton Sioux Community
  - Prairie Island Mdewakanton Dakota Community
- Each tribe must use grant funding for activities that mitigate the immediate health and economic impacts of COVID-19.

- Tribes must apply for funding by April 1, 2020. Grants must be distributed by April 8, 2020.

#### Section 11: Small Business Emergency Loan Program

- \$30m transferred from other accounts are appropriated to DEED to make loans as established by Executive Order 20-15.

#### Section 12: Small Business Loan Guarantee Program

- \$10m from the General Fund to DEED for the small business loan guarantee program.

### Article 2 – COVID-19 Response Provisions

**Sections 1 and 2:** Adds covering the loss of revenue related to an infectious human disease for which the Governor has declared a peacetime emergency to authorized uses of the disaster recovery loan program at the Department of Agriculture.

**Section 3:** Provides state guarantees of loans to small businesses made within 12 months of the declaration of the COVID-19 peacetime emergency. Provides loan guarantees of 80 percent of a loan provided by a lender, up to a limit of \$200,000. Allows loans to be made by banks, commercial lenders, public entities, and private nonprofit economic development organizations with at least three years of experience actively lending to small businesses. Defines small businesses as those that employ the equivalent of 250 fulltime workers or less. Allows funds to be used primarily for working capital, as well as machinery and equipment and a few other expenses. Outlines how default and nonpayment can be handled.

**Section 4:** Creates an account in the special revenue fund for the small business emergency loan program outlined in the governor’s Executive Order 20-15.

**Sections 5 - 7:** Requires wholesalers of medical gases that operate multiple facilities to pay application fees for licensure and registration to the Board of Pharmacy of \$5,260 for the first facility, and reduces fees to \$260 for each additional facility. Reduces the application fee for medical gas distributors from \$5,260 to \$260.

**Section 8:** Eliminates the requirement that prescriptions for opiate or narcotic pain relievers listed in Schedules II through IV not be initially dispensed more than 30 days after the date on which the prescription was issued, and not refilled more than 30 days after the previous date on which the prescription was initially filled or refilled.

**Section 9:** Modifies and generally broadens the list of documents that can be used to demonstrate Minnesota residency when applying for a REAL ID-compliant driver’s license or identification card.

**Section 10:** Extends the Department of Corrections’ authority to make healthcare decisions for inmates who are incapable of making their own healthcare decisions (and who have not designated another person to make decisions for them) to situations where an inmate is receiving medical care outside of a correctional facility.

**Section 11:** Authorizes the Department of Corrections to contract with county jails to house offenders who have 90 days or less to serve at the time they are committed to the custody of the commissioner.

**Section 12:** Allows the Department of Commerce to delay, stay, or waive licensing and investigation deadlines relating to the chapters of law which the commissioner oversees. This authority only lasts until 60 days after the peacetime emergency is ended.

**Section 13:** Allows the Office of Higher Education to waive statutory requirements or administrative rules governing state financial aid programs in response to a COVID-19 outbreak. The powers expire 60 days after the peacetime emergency expires. This is designed to protect the financial stability and academic standing of students, grantees, or borrowers. OHE must request legislative approval for any action with a fiscal impact that the agency cannot absorb.

**Section 14:** Exempts state contracts for certain emergency purchases from an existing requirement that the vendor submit a workforce affirmative action plan and a certificate of compliance with equal pay laws. This exemption is intended to streamline the process for contracting with vendors who have not previously entered a contract with a state agency in Minnesota, and applies only during the period of a peacetime emergency declared by the governor.

**Section 15:** Extends the expiration date for driver's licenses, Minnesota identification cards, and disability parking certificates and permits, in conjunction with peacetime public health emergencies declared by the governor during 2020.

- Once renewed, the valid period for the license or identification card is unchanged.
- DPS may not impose a fee or surcharge for the extension.
- Allows a person with an out-of-state noncommercial driver's license who becomes a Minnesota resident to use that license beyond the usual 60 day time period, and extends the expiration date for that license.
- Extends the expiration date for disability parking certificates and temporary permits that would otherwise expire during the peacetime emergency or at any point during the last month in which the peacetime emergency is in place. DPS may not impose a fee or surcharge for the extension.
- DPS must work with law enforcement agencies to ensure awareness about the expiration date extensions and work to publicize the information to the general public.

**Section 16:** Requires a legislative report from the Department of Public Safety about use of temporary powers and expiration date extensions during the peacetime public health emergency.

**Section 17:** Allows the additional food shelf funding appropriated in article 1, section 4 to be distributed to food banks, food shelves, and additional transportation providers, and to be used for items not typically allowed under the food shelf program, such as diapers and toilet paper.

**Section 18:** Extends the deadline for which property tax petitions must be filed in district court or tax court from April 30 to May 30. The extension will provide additional time for petitioners to serve the petition on county officials if county offices are closed due to COVID-19.

**Section 19:** Requires the Department of Agriculture to exempt from commercial pesticide applicator license requirements a person who applies general-use sanitizers and disinfectants in response to COVID-19.

**Section 20:** For an applicant applying for unemployment insurance benefits between March 1, 2020, and December 31, 2020, “suitable employment” does not include employment that puts the health and safety of the applicant, other workers, or the public at risk due to their potential exposure to COVID-19.

**Section 21:** Waives the one-week waiting period for an applicant to start receiving unemployment insurance benefits for benefit accounts established between March 1, 2020, and December 31, 2020, so payments may start immediately.

**Section 22:** For unemployment insurance benefit accounts established between March 1, 2020, and December 31, 2020, suspends the five-week limitation on business owners, so business owners may be eligible for more than five weeks of benefits during COVID19 pandemic.

**Section 23:** For unemployment insurance benefit accounts established between March 1, 2020, and December 31, 2020, certain “leaves of absence” by an applicant are considered involuntary, so the leave does not make the applicant ineligible for benefits. Leaves considered involuntary during the COVID-19 pandemic include:

- determination by a health authority or health care professional that the applicant’s presence in the workplace is a risk to the health of others;
- quarantine or isolation order;
- self isolation or self-quarantine;
- direction by employer not to come to work; or
- schools or child care are cancelled or unavailable and no other child care or time off from employer is available.

**Section 24:** Starting March 1, 2020, and ending December 31, 2020, unemployment insurance benefits paid to an applicant unable to work due to COVID-19 do not count toward unemployment benefit usage for a taxpaying employer’s “experience rating” and will not impact the employer’s future unemployment insurance tax rate.

**Section 25:** Allows municipalities currently holding uncommitted money from the repayment of Minnesota investment fund loans to use those funds to make loans to retail stores, service providers, and hospitality businesses as well until the end of fiscal year 2020. Any municipality who makes use of this exception to submit a report on how the funds were used to the legislature by February 15, 2021.

**Section 26:** Authorizes the superintendent of the Bureau of Criminal Apprehension to delay submission of fingerprints as part of background checks for “essential workers” during peacetime emergencies declared by the governor. Provides a gross misdemeanor penalty for “essential workers” who provide false information as part of a background check while the fingerprint requirement is suspended.