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CHAPTER 74--H.F.No. 4556

An act relating to state government; providing for COVID-19 policy and certain other policy changes; extending certain deadlines; covering certain COVID-19 health expenses; providing temporary emergency authority; expanding usage of electronic communication, applications, and signatures; appropriating additional money for grants to Second Harvest Heartland to purchase commodities from Minnesota farmers; modifying certain vehicle registration provisions; allowing nonposting of tax delinquency and suspension of nondelivery of liquor or beer related to delinquency; modifying certain treatment provisions; correcting errors in health and human services appropriations; making forecast adjustments; requiring reports; amending Minnesota Statutes 2018, sections 168.013, by adding a subdivision; 245F.03; 245F.04, by adding a subdivision; 254B.03, subdivision 1; 299C.46, subdivision 3; Minnesota Statutes 2019 Supplement, sections 13D.02, subdivision 1; 168.013, subdivision 1a; 254A.03, subdivision 3; 256B.0759, subdivisions 3, 4; Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 5; Laws 2019, First Special Session chapter 9, article 14, section 2, subdivisions 2, 24, 30, 31, by adding a subdivision; Laws 2020, chapter 71, article 2, section 15, subdivision 3, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 2019 Supplement, section 254B.03, subdivision 4a; Minnesota Rules, parts 9530.6600, subparts 1, 3; 9530.6605, subparts 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 21a, 21b, 24a, 25, 25a, 26; 9530.6610, subparts 1, 2, 3, 5; 9530.6615; 9530.6620; 9530.6622; 9530.6655.

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

ARTICLE 1

COVID-19 POLICY

Section 1. Minnesota Statutes 2019 Supplement, section 13D.02, subdivision 1, is amended to read:

Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive television so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body;

(3) at least one member of the body is physically present at the regular meeting location; ~~and~~

(4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; and

(5) each location at which a member of the body is present is open and accessible to the public.

(b) A meeting satisfies the requirements of paragraph (a), although a member of the public body participates from a location that is not open or accessible to the public, if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:

(1) the member is serving in the military and is at a required drill, deployed, or on active duty; ~~and~~ or

~~(2) the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public.~~

(2) the member has been advised by a health care professional against being in a public place for personal or family medical reasons. This clause only applies when a state of emergency has been declared under section 12.31, and expires 60 days after the removal of the state of emergency.

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

Sec. 2. **[524.2-503] HARMLESS ERROR.**

(a) If a document or writing added upon a document was not executed in compliance with section 524.2-502, the document or writing is treated as if it had been executed in compliance with section 524.2-502 if the proponent of the document or writing establishes by clear and convincing evidence that the decedent intended the document or writing to constitute:

(1) the decedent's will;

(2) a partial or complete revocation of the will;

(3) an addition to or an alteration of the will; or

(4) a partial or complete revival of the decedent's formerly revoked will or of a formerly revoked portion of the will.

(b) This section applies to documents and writings executed on or after March 13, 2020, but before February 15, 2021.

EFFECTIVE DATE. This section is effective retroactively from March 13, 2020, and applies to documents and writings executed on or after that date.

Sec. 3. Laws 2019, First Special Session chapter 1, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. **Administration and Financial Assistance** ~~7,510,000~~ 8,760,000 7,508,000

(a) $474,000 the first year and $474,000 the second year are for payments to county and district agricultural societies and associations under Minnesota Statutes, section 38.02, subdivision 1. Aid payments to county and district agricultural societies and associations shall be disbursed no later than July 15 of each year. These payments are the amount of aid from the state for an annual fair held in the previous calendar year.

(b) $2,000 the first year is for a grant to the Minnesota State Poultry Association. This is a onetime appropriation, and is available until June 30, 2021.

(c) $18,000 the first year and $18,000 the second year are for grants to the Minnesota Livestock Breeders Association. These are onetime appropriations.

(d) $47,000 the first year and $47,000 the second year are for the Northern Crops Institute. These appropriations may be spent to purchase equipment. These are onetime appropriations.

(e) $267,000 the first year and $267,000 the second year are for farm advocate services.

(f) $17,000 the first year and $17,000 the second year are for grants to the Minnesota Horticultural Society. These are onetime appropriations.

(g) $250,000 the first year and $250,000 the second year are for transfer to the Board of Trustees of the Minnesota State Colleges and Universities for statewide mental health counseling support to farm families and business operators through the Minnesota State Agricultural Centers of Excellence. South Central College and Central Lakes College shall serve as the fiscal agents. The base amount for this appropriation in fiscal year 2022 and later is $238,000.

(h) ~~$1,700,000~~ $2,950,000 the first year and $1,700,000 the second year are for grants to Second Harvest Heartland on behalf of Minnesota's six Feeding America food banks for the following:

(1) to purchase milk for distribution to Minnesota's food shelves and other charitable organizations that are eligible to receive food from the food banks. Milk purchased under the grants must be acquired from Minnesota milk processors and based on low-cost bids. The milk must be allocated to each Feeding America food bank serving Minnesota according to the formula used in the distribution of United States Department of Agriculture commodities under The Emergency Food Assistance Program. Second Harvest Heartland may enter into contracts or agreements with food banks for shared funding or reimbursement of the direct purchase of milk. Each food bank that receives funding under this clause may use up to two percent for administrative expenses; ~~and~~

(2) to compensate agricultural producers and processors for costs incurred to harvest and package for transfer surplus fruits, vegetables, and other agricultural commodities that would otherwise go unharvested, be discarded, or sold in a secondary market. Surplus commodities must be distributed statewide to food shelves and other charitable organizations that are eligible to receive food from the food banks. Surplus food acquired under this clause must be from Minnesota producers and processors. Second Harvest Heartland may use up to 15 percent of each grant awarded under this clause for administrative and transportation expenses; and

(3) to purchase and distribute protein products, which must be surplus products when practicable, including but not limited to pork, poultry, beef, dry legumes, cheese, and eggs to Minnesota's food shelves and other charitable organizations that are eligible to receive food from the food banks. Second Harvest Heartland may use up to two percent of each grant awarded under this clause for administrative expenses. To the extent practicable, protein products purchased under the grants must be acquired from Minnesota processors and producers and based on low-cost bids.

Of the amount appropriated under this paragraph, at least $600,000 each year must be allocated under clause (1); and $1,250,000 of the onetime money appropriated in the first year must be allocated under clause (1) or (3). Notwithstanding Minnesota Statutes, section 16A.28, any unencumbered balance the first year does not cancel and is available in the second year. Second Harvest Heartland

must submit quarterly reports to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture finance in the form prescribed by the commissioner. The reports must include but are not limited to information on the expenditure of funds, the amount of milk or other commodities purchased, and the organizations to which this food was distributed. The base for this appropriation is $1,650,000 in fiscal year 2022 and $1,650,000 in fiscal year 2023.

(i) $150,000 the first year and $150,000 the second year are for grants to the Center for Rural Policy and Development. These are onetime appropriations.

(j) $250,000 the first year and $250,000 the second year are for grants to the Minnesota Agricultural Education and Leadership Council for programs of the council under Minnesota Statutes, chapter 41D.

(k) The commissioner shall continue to increase connections with ethnic minority and immigrant farmers to farming opportunities and farming programs throughout the state.

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

Sec. 4. Laws 2020, chapter 71, article 2, section 15, subdivision 3, is amended to read:

Subd. 3. **Out-of-state licenses.** (a) Notwithstanding Minnesota Statutes, section 171.03, ~~paragraph~~ paragraphs (h)and (i), any person who becomes a resident of the state of Minnesota and who possesses a valid ~~noncommercial~~ driver's license issued to the person under and pursuant to the laws of some other state or jurisdiction, or by military authorities of the United States, may operate a motor vehicle for more than30 days for a commercial driver's license or 60 days for a noncommercial driver's license without being required to have a Minnesota driver's license, as provided by this subdivision. A person described by this subdivision may only operate the types of vehicles for which the license is issued and must apply for a Minnesota driver's license by the last day of the second consecutive month following the month in which the peacetime public health emergency period terminates.

(b) If a Minnesota resident's driver's license or state identification card issued by another state, jurisdiction, or military authority would expire absent this subdivision during the period specified by subdivision 2, paragraph (a), the expiration date is extended in the manner prescribed by subdivision 2, paragraphs (a) to (e), except that the expiration date for a commercial driver's license must not be extended past the date identified by the Federal Motor Carrier Safety Administration in waivers of applicable federal regulations.

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

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

Sec. 5. Laws 2020, chapter 71, article 2, section 15, is amended by adding a subdivision to read:

Subd. 3a. **Medical certificates and waivers.** Notwithstanding Minnesota Statutes, sections 171.162 and 221.0314, subdivisions 2, 3, and 3a, if a medical examiner's certificate or a medical waiver would expire absent this subdivision during the period specified by subdivision 2, paragraph (a), the expiration date is extended in the manner prescribed by subdivision 2, except that it must not be extended past the date identified by the Federal Motor Carrier Safety Administration in waivers of applicable federal regulations.

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

Sec. 6. Laws 2020, chapter 71, article 2, section 15, is amended by adding a subdivision to read:

Subd. 3b. **Commercial drivers' licenses.** (a) The commissioner of public safety may exercise the authority under this subdivision for restricted commercial drivers' licenses under Minnesota Statutes, section 171.02, subdivision 4, and otherwise, only if the commissioner has established procedures for on-the-road examinations during the peacetime public health emergency period, in a manner that (1) ensures personal protective measures for applicants and examiners, and (2) complies with guidance and recommendations related to the infectious disease known as COVID-19 provided from the Centers for Disease Control and Prevention (CDC) and the Minnesota Department of Health.

(b) Notwithstanding Minnesota Statutes, chapter 171, and Minnesota Rules, part 7410.1810, during the peacetime public health emergency period, the commissioner may issue a new commercial driver's license to a qualifying applicant, except that:

(1) in lieu of a photograph taken in person, the commissioner may use the most recently available photograph of the applicant on record with the department;

(2) a test of the applicant's eyesight under Minnesota Statutes, section 171.13, subdivision 1, paragraph (a), clause (1), is not required at the time of application; and

(3) subject to paragraph (c), the expiration date of the license is the last day of the second consecutive month following the month in which the peacetime public health emergency period terminates.

(c) After the peacetime public health emergency period, the expiration date of a license issued under this subdivision is adjusted to the date that would otherwise apply for a license issued absent this subdivision, if the license holder:

(1) arranges for an in-person photograph; and

(2) passes a test of the person's eyesight.

(d) No fee or surcharge under Minnesota Statutes, chapter 171, is imposed for the license other than the amounts that would otherwise apply for a license issued absent this subdivision.

(e) The requirements under subdivision 2, paragraphs (d) and (e), apply for a license issued under this subdivision.

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

Sec. 7. **REPORT TO LEGISLATURE; POWERS EXERCISED BY COMMISSIONER OF TRANSPORTATION DURING PEACETIME PUBLIC HEALTH EMERGENCY.**

(a) Within 30 days of the expiration of a peacetime public health emergency period, the commissioner of transportation must report to the legislative committees with jurisdiction over transportation regarding any temporary powers exercised during the peacetime public health emergency period, including but not limited to any statutory requirements or administrative rules that were modified or waived. The report must include a timeline as to when and an explanation of why temporary powers were exercised.

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

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

Sec. 8. **REPORT TO LEGISLATURE; POWERS EXERCISED BY METROPOLITAN COUNCIL DURING PEACETIME PUBLIC HEALTH EMERGENCY.**

(a) Within 30 days of the expiration of a peacetime public health emergency period, the chair of the Metropolitan Council must report to the legislative committees with jurisdiction over transportation or the Metropolitan Council regarding any temporary powers exercised during the peacetime public health emergency period, including but not limited to any statutory requirements or administrative rules that were modified or waived. The report must include a timeline as to when and an explanation of why temporary powers were exercised.

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

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

Sec. 9. **EXTENDING DEADLINE FOR TRANSIT FINANCE REPORT.**

Notwithstanding Minnesota Statutes, section 473.4485, subdivision 2, the deadline for the metropolitan area transit finance report that is due by October 15, 2020, is extended until February 15, 2021.

Sec. 10. **USE OF FEDERAL TRANSIT FUNDS.**

(a) The commissioner of transportation and the chair of the Metropolitan Council, to the extent consistent with federal law and regulations, may use money allocated to the state of Minnesota by the Federal Transit Administration under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, for, but not limited to, the following purposes:

(1) protection equipment for transit operators, including physical barriers, personal protective equipment, and cleaning materials;

(2) safety training for operators who are in close contact with members of the public; and

(3) frequent cleaning of transit vehicles.

(b) The commissioner of transportation and chair of the Metropolitan Council must report all expenditures made under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136, to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance and policy by February 15, 2021. The report must include the total amount of each expenditure, the purpose of each expenditure, and any additional information the commissioner and chair determine is necessary to properly document each expenditure.

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

Sec. 11. **UNINSURED INDIVIDUALS NEEDING COVID-19 TESTING.**

(a) Medical assistance is available for uninsured individuals for the purpose of testing for and diagnosing COVID-19 as described in section 1902(a)(10)(A)(ii)(XXIII) of the Social Security Act.

(b) For individuals eligible for medical assistance under this section, coverage is limited to any diagnostic product available for the detection of SARS-CoV-2 or the virus that causes COVID-19, necessary to make the diagnosis of COVID-19, and the associated visit, that is furnished during an emergency period described in section 1135(g) of the Social Security Act related to an outbreak of COVID-19. In order to be covered, the diagnostic product must have received Emergency Use Authorization under section 564 of the federal Food, Drug, and Cosmetic Act.

EFFECTIVE DATE. This section is effective upon federal approval. The commissioner of human services shall notify the revisor of statutes when federal approval is received.

Sec. 12. **COVERAGE FOR COVID-19 TESTING.**

Medical assistance covers any diagnostic product available for the detection of SARS-CoV-2 or the virus that causes COVID-19, necessary to make the diagnosis of COVID-19, and the associated visit, that is furnished during an emergency period described in section 1135(g) of the Social Security Act related to an outbreak of COVID-19. In order to be covered, the diagnostic product must have received Emergency Use Authorization under section 564 of the federal Food, Drug, and Cosmetic Act.

EFFECTIVE DATE This section is effective upon federal approval. The commissioner of human services shall notify the revisor of statutes when federal approval is received.

Sec. 13. **COMMISSIONER OF HEALTH; TEMPORARY EMERGENCY AUTHORITY.**

Subdivision 1. **Peacetime emergency; temporary authority granted.** Beginning on the date that the governor declared a peacetime emergency under Minnesota Statutes, section 12.31, subdivision 2, for an outbreak of COVID-19, the commissioner of health is granted temporary authority as described in and limited by this section to protect the health and safety of the public. The temporary authority granted to the commissioner in this section may only be used for purposes related to preparing for, preventing, or responding to an outbreak of COVID-19 and for preserving access to programs and services provided, licensed, or regulated by the Department of Health.

Subd. 2. **Temporary delay, waiver, or modification.** The commissioner may temporarily delay, waive, or modify any of the following provisions and applicable rules:

(1) provisions in Minnesota Statutes, sections 144.551, 144A.071, and 144A.073, governing the hospital construction moratorium and the moratorium on certification of nursing home beds;

(2) provisions in Minnesota Statutes, section 144.121, and Minnesota Rules, chapter 4732, but only those that govern the health-care-based use of x-ray and related technologies;

(3) provisions for which the commissioner is responsible in Minnesota Statutes, chapters 14, 62D, 62J, 62Q, 144, 144A, 144D, 144G, 144H, 146A, 146B, 148, 149A, 153A, 157, 214, and 327, and in Minnesota Statutes, sections 256.045, 626.556, and 626.557;

(4) provisions related to administrative appeals, reconsiderations, or other reviews involving or initiated by the commissioner; and

(5) provisions governing the scope, timelines, reporting requirements, and activities of state-funded grants issued by the commissioner to allow grant recipients to use such funds to respond to COVID-19 when authorized by the commissioner.

Subd. 3. **Temporary alternative health care facilities.** (a) The commissioner may establish temporary alternative health care facilities.

(b) During the peacetime emergency specified in subdivision 1, compliance and regulatory standards in the following provisions, as they apply to the use of nontraditional spaces to provide patient care in temporary alternative health care facilities established by the commissioner, are suspended:

(1) Minnesota Statutes, chapters 14, 144, 144A, 144D, 144G, 144H, 146A, 157, and 327;

(2) Minnesota Statutes, sections 256.045, 626.556, and 626.557; and

(3) corresponding chapters of Minnesota Rules.

(c) To the extent necessary to establish and regulate the beds at temporary alternative health care facilities described in this subdivision, the commissioner shall consult with the commissioner of labor and industry on state building code issues.

Subd. 4. **Variances.** (a) The commissioner may temporarily grant variances on an individual or blanket basis to rules within the commissioner's jurisdiction that do not affect the health or safety of persons in a licensed program.

(b) The commissioner may temporarily grant variances to rules on an individual basis if:

(1) the variance is requested by an applicant or license holder in a form and manner prescribed by the commissioner;

(2) the request for a variance includes the reasons the applicant or license holder cannot comply with the requirements specified in rule and the alternative, equivalent measures the applicant or license holder will follow to comply with the intent of the rule; and

(3) the request for a variance states the time period for which the variance is requested.

(c) The commissioner may temporarily grant blanket variances to rules governing licensed programs within the commissioner's jurisdiction if the commissioner:

(1) determines that the rule does not affect the health or safety of persons in the licensed program;

(2) identifies the alternative, equivalent measures the applicant or license holder must follow to comply with the intent of the rule; and

(3) establishes a time period for which the variance is granted.

(d) The commissioner's decision under this subdivision to grant or deny a variance request is final and not subject to appeal.

Subd. 5. **Notice.** (a) No later than 48 hours after a delay, waiver, blanket variance, or modification under this section goes into effect, the commissioner must provide written notice of the delay, waiver, blanket variance, or modification to the appropriate ombudsman, if any, and to the chairs and ranking minority members of the legislative committees with jurisdiction over the Department of Health.

(b) A delay, waiver, blanket variance, or modification issued or granted under this section must be posted on the Department of Health website within 48 hours after being issued or granted and must include a plain-language description of the delay, waiver, blanket variance, or modification.

Subd. 6. **Report.** Within 60 days after the peacetime emergency specified in subdivision 1 is terminated or rescinded by proper authority, the commissioner shall submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over the Department of Health with specific details about statutes and rules delayed, waived, or modified as authorized in subdivision 2.

Subd. 7. **Expiration.** This section expires 60 days after the peacetime emergency specified in subdivision 1 is terminated or rescinded by proper authority.

EFFECTIVE DATE. This section is effective retroactively from March 13, 2020.

Sec. 14. **MEDICAL ASSISTANCE REIMBURSEMENT FOR TEMPORARY ALTERNATIVE HEALTH CARE FACILITIES.**

The commissioner of human services shall enroll temporary alternative health care facilities as medical assistance providers. The commissioner of human services shall establish a payment rate for inpatient services provided by temporary alternative health care facilities that: (1) utilizes to the extent practicable the existing inpatient payment rate method for hospitals based on diagnostic-related groups; and (2) takes into account the statewide average costs of similar acute care facilities. The commissioner of human services shall expedite the procedures for provider enrollment, background studies, and provider screening necessary for service delivery by temporary alternative health care facilities. This section expires 60 days after the peacetime emergency declared by the governor under Minnesota Statutes, section 12.31, subdivision 2, for an outbreak of COVID-19 is terminated or rescinded by proper authority.

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

Sec. 15. **TELEMEDICINE COVERAGE DURING A PEACETIME EMERGENCY.**

Subdivision 1. **Peacetime emergency; temporary modification to telemedicine coverage.** During a peacetime emergency declared by the governor under Minnesota Statutes, section 12.31, subdivision 2, for an outbreak of COVID-19, coverage of telemedicine services by health carriers must comply with this section.

Subd. 2. **Licensed health care provider.** The definition of "licensed health care provider" under Minnesota Statutes, section 62A.671, subdivision 6, must include the following:

(1) a mental health practitioner defined under Minnesota Statutes, section 245.462, subdivision 17, or 245.4871, subdivision 26, working under the supervision of a mental health professional; and

(2) a respiratory therapist licensed under Minnesota Statutes, chapter 147C, and providing respiratory care services according to that chapter.

Subd. 3. **Definition of telemedicine.** The definition of "telemedicine" under Minnesota Statutes, section 62A.671, subdivision 9, must include communication between a licensed health care provider and a patient that consists solely or primarily of a telephone conversation.

Subd. 4. **Reimbursement.** (a) A health carrier shall not deny or limit reimbursement based solely on a provider delivering consultations or health care services by telemedicine instead of in-person.

(b) A health carrier shall not deny or limit reimbursement based solely on the mechanism or platform of telemedicine used by the provider to deliver consultations or health care services so long as the mechanism or platform used by the provider allows for the delivery of telemedicine services as defined in Minnesota Statutes, section 62A.671, subdivision 9.

Subd. 5. **Expiration.** This section expires 60 days after the peacetime emergency specified in subdivision 1 is terminated or rescinded by proper authority.

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

Sec. 16. **DEADLINES GOVERNING PROCEEDINGS IN DISTRICT AND APPELLATE COURTS SUSPENDED DURING PEACETIME EMERGENCY.**

(a) The running of deadlines imposed by statutes governing proceedings in the district and appellate courts, including any statutes of limitations or other time periods prescribed by statute, is suspended during the peacetime emergency declared on March 13, 2020, in governor's Executive Order 20-01 and any extensions authorized under Minnesota Statutes, section 12.31, subdivision 2, and for 60 days after the end of the peacetime emergency declaration. Nothing in this paragraph prevents a court from holding a hearing, requiring an appearance, or issuing an order during the peacetime emergency if the judge determines that individual circumstances relevant to public safety, personal safety, or other emergency matters require action in a specific case.

(b) This section expires 60 days after the end of the peacetime emergency declaration described in paragraph (a) or February 15, 2021, whichever is earlier.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to all deadlines that had not expired as of March 13, 2020, or were triggered on or after that date.

Sec. 17. **MOTIONS CONTESTING CHILD SUPPORT COST-OF-LIVING ADJUSTMENTS.**

Notwithstanding Minnesota Statutes, section 518A.75, subdivision 2a, and section 16, a child support obligor to whom the public authority has sent notice of an intended cost-of-living adjustment effective May 1, 2020, under Minnesota Statutes, section 518A.75, subdivision 2, may file a motion contesting the May 1, 2020, cost-of-living adjustment until June 30, 2020. If the obligor is unable to file a motion contesting the May 1, 2020, cost-of-living adjustment before June 30, 2020, due to circumstances related to the COVID-19 pandemic, but files such a motion before October 31, 2020, the court may, in its discretion, order a full or partial adjustment to the child support obligation or decline to order an adjustment to the child support obligation. Any full or partial adjustment shall be effective on May 1, 2020, unless the court selects an alternative effective date based on the circumstances of the case. If the effective date creates an overpayment of support, the overpayment shall be reconciled pursuant to Minnesota Statutes, section 518A.52.

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

Sec. 18. **PUBLIC HEALTH EMERGENCY; MARRIAGE LICENSE APPLICATION AND OATH WITHOUT APPEARANCE.**

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

(b) During the effective period of a peacetime public health emergency, each local registrar may develop and implement procedures to examine the parties upon oath and accept civil marriage license applications, signed by both parties, by mail, facsimile, or electronic filing. Examination of the parties upon oath under this section may include contemporaneous video or audio transmission or receipt of a verified statement signed by both parties attesting to the legality of the marriage.

(c) Procedures developed and implemented under this section must be consistent with Minnesota Statutes, section 517.08, subdivision 1b, except that the requirement that at least one party appear in person does not apply. The use of electronic signatures shall be consistent with the requirements of Minnesota Statutes, chapter 325L.

(d) This section expires on January 15, 2021.

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

Sec. 19. **FARMER-LENDER MEDIATION EXTENSIONS.**

(a) The legislature finds that due to the emergency created by the COVID-19 pandemic, the time period for the Farmer-Lender Mediation Act needs to be temporarily extended to ensure an orderly process with state assistance to adjust agricultural indebtedness to preserve the general welfare and fiscal integrity of the state.

(b) Notwithstanding Minnesota Statutes, section 583.26, subdivision 4, a creditor may not begin or continue proceedings to enforce a debt subject to the Farmer-Lender Mediation Act against agricultural property of the debtor under Minnesota Statutes, chapter 580 or 581, or Minnesota Statutes, sections 336.9-501 to 336.9-508, to terminate a contract for deed to purchase agricultural property under Minnesota Statutes, section 559.21, or to garnish, levy on, execute on, seize, or attach agricultural property until 150 days after the date the debtor files a mediation request with the director of the Minnesota Extension Service.

(c) Any mediation proceeding being conducted pursuant to Minnesota Statutes, chapter 583, and that is in progress on the effective date of this section is allowed an additional 60 days from the date the debtor filed a mediation request with the director of the Minnesota Extension Service before a creditor can proceed to enforce a debt against the debtor's agricultural property.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to (1) mediation proceedings in progress on the effective date of this section, and (2) mediation proceedings beginning after the effective date of this section if the mediation request is filed before July 31, 2020.

Sec. 20. **NO OBLIGATION TO LIST ON LIQUOR POSTING.**

Notwithstanding Minnesota Statutes, section 270C.725, the commissioner of revenue is under no obligation to list a qualifying taxpayer whose business is a public accommodation closed to ingress, egress, use, and occupancy by members of the public by Executive Order 20-04, as extended, amended, and otherwise modified by Executive Order 20-08, Executive Order 20-18, Executive Order 20-33, and any related executive orders issued pursuant to Minnesota Statutes, section 12.21 or 12.31. A "qualifying taxpayer" is a taxpayer that is ten days or more delinquent in either filing a tax return or paying a tax imposed by Minnesota Statutes, section 290.02, 290.0922, 290.92, 290.9727, 290.9728, 290.9729, or 297A.62, or local sales and use tax payable to the commissioner of revenue, or a local option tax administered and collected by the commissioner of revenue.

EFFECTIVE DATE. (a) This section is effective the day following final enactment and applies retroactively to taxes first required to be paid, and returns first required to be filed, after January 31, 2020.

(b) This section expires four calendar months after Executive Order 20-33, or a related executive order extending the closure of bars, restaurants, and other places of public accommodation, is terminated or rescinded, or has expired, and the provisions of this section do not apply to taxes first required to be paid, and returns first required to be filed, after the date of expiration.

ARTICLE 2

NON-COVID-19 POLICY

Section 1. Minnesota Statutes 2019 Supplement, section 168.013, subdivision 1a, is amended to read:

Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in section 168.002, subdivision 24, and hearses, except as otherwise provided, the registration tax is calculated as $10 plus ~~an additional tax equal to~~ :

(1) for a vehicle initially registered in Minnesota prior to the effective date of this section, 1.25 percent of the ~~base value.~~ manufacturer's suggested retail price of the vehicle and the destination charge, subject to the adjustments in paragraphs (f) and (g); or

(2) for a vehicle initially registered in Minnesota on or after the effective date of this section, 1.285 percent of the manufacturer's suggested retail price of the vehicle, subject to the adjustments in paragraphs (f) and (g).

(b) ~~Subject to the classification provisions herein, "Base value" means the manufacturer's suggested retail price of the vehicle including destination charge using list price information published by the manufacturer or determined by the registrar if no suggested retail price exists, and shall~~ The registration tax calculation must not include the cost of each accessory or item of optional equipment separately added to the vehicle and the manufacturer's suggested retail price.The registration tax calculation must not include a destination charge, except for a vehicle previously registered in Minnesota prior to the effective date of this section.

(c) In the case of the first registration of a new vehicle sold or leased by a licensed dealer, the dealer may elect to individually determine the ~~base value of~~ registration tax on the vehicle using manufacturer's suggested retail price information provided by the manufacturer. ~~The registrar must use the base value determined by the dealer to properly classify the vehicle.~~ The registrar must use the manufacturer's suggested retail price determined by the dealer as provided in paragraph (d). A dealer that elects to make the determination must retain a copy of the manufacturer's suggested retail price label or other supporting documentation with the vehicle transaction records maintained under Minnesota Rules, part 7400.5200.

~~(c) If the manufacturer's list price information contains a single vehicle identification number followed by various descriptions and suggested retail prices, the registrar shall select from those listings only the lowest price for determining base value.~~

~~(d) If unable to determine the base value because the vehicle is specially constructed, or for any other reason, the registrar may establish such value upon the cost price to the purchaser or owner as evidenced by a certificate of cost but not including Minnesota sales or use tax or any local sales or other local tax.~~

~~(e) The registrar shall classify every vehicle in its proper base value class as follows:~~

~~FROM TO~~
~~$ 0 $ 199.99~~
~~$ 200 $ 399.99~~

~~and thereafter a series of classes successively set in brackets having a spread of $200 consisting of such number of classes as will permit classification of all vehicles.~~

~~(f) The base value for purposes of this section shall be the middle point between the extremes of its class.~~

~~(g)~~ (d) The registrar ~~shall establish the base value, when new, of every passenger automobile and hearse registered prior to the effective date of Extra Session Laws 1971, chapter 31,~~ must determine the manufacturer's suggested retail price:

(1) using list price information published by the manufacturer or any nationally recognized firm or association compiling such data for the automotive industry~~.~~ ;

(2) if the list price information is unavailable, using the amount determined by a licensed dealer under paragraph (c);

(3) if a dealer does not determine the amount, using the retail price label as provided by the manufacturer under United States Code, title 15, section 1232; or

(4) if the retail price label is not available, using the actual sales price of the vehicle.

If the registrar is unable to ascertain the ~~base value~~ manufacturer's suggested retail price of any registered vehicle in the foregoing manner, the registrar may use any other available source or method.

(e) The registrar ~~shall~~ must calculate the registration tax using ~~base value~~ information available to dealers and deputy registrars at the time the initial application for registration is submitted. ~~The tax on all previously registered vehicles shall be computed upon the base value thus determined taking into account the depreciation provisions of paragraph (h).~~

~~(h)~~ (f) The ~~annual additional tax~~ amount under paragraph (a), clauses (1) and (2), must be ~~computed upon~~ calculated based on a percentage of the ~~base value~~ manufacturer's suggested retail price, as follows: during the first year of vehicle life, upon 100 percent of the ~~base value~~ price; for the second year, 90 percent of ~~such value~~ the price; for the third year, 80 percent of ~~such value~~ the price; for the fourth year, 70 percent of ~~such value~~ the price; for the fifth year, 60 percent of ~~such value~~ the price; for the sixth year, 50 percent of ~~such value~~ the price; for the seventh year, 40 percent of ~~such value~~ the price; for the eighth year, 30 percent of ~~such value~~ the price; for the ninth year, 20 percent of ~~such value~~ the price;and for the tenth year, ten percent of ~~such value;~~ the price.

(g) For the 11th and each succeeding year, the ~~sum of~~ amount under paragraph (a), clauses (1) and (2), must be calculated as $25.

~~(i) In no event shall the annual additional tax be less than $25.~~

~~(i)~~ (h) Except as provided in subdivision 23, for any vehicle previously registered in Minnesota and regardless of prior ownership, the total amount due under this subdivision and subdivision 1m must not exceed the smallest total amount previously paid or due on the vehicle.

EFFECTIVE DATE. Paragraphs (a) to (g) are effective January 1, 2021, or upon deployment of the necessary changes to the replacement motor vehicle title and registration information system, whichever is earlier, and apply to taxes payable for a registration period starting on or after that date. The commissioner of public safety must notify the revisor of statutes of the implementation date. Paragraph (h) is effective July 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 168.013, is amended by adding a subdivision to read:

Subd. 23. **Adjustments to registration tax.** (a) Except as provided in this subdivision, the commissioner must not adjust the manufacturer's suggested retail price or destination charge for any vehicle in a subsequent registration period following initial registration in Minnesota.

(b) The commissioner must adjust the registration tax amount of any vehicle to correct an error or omission that was made in determining or entering the registration tax amount or the destination charge amount. For a vehicle with a registration tax determined based on the actual sales price, the commissioner must adjust the registration tax within two years of the initial registration using one of the methods described in subdivision 1a, paragraph (d), clauses (1) to (3). The adjusted registration tax amount is effective starting with the vehicle's next registration period. The commissioner must not collect any amount that would have been paid but for the error or omission.

(c) When the commissioner makes an adjustment to the registration tax amount pursuant to this subdivision, the commissioner must mail written notice to the owner of the vehicle stating that an adjustment was made to the registration tax amount, the reason for the adjustment, and contact information so that the owner may contact the department to ask questions.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 3. Minnesota Statutes 2018, section 299C.46, subdivision 3, is amended to read:

Subd. 3. **Authorized use, fee.** (a) The criminal justice data communications network shall be used exclusively by:

(1) criminal justice agencies in connection with the performance of duties required by law;

(2) agencies investigating federal security clearances of individuals for assignment or retention in federal employment with duties related to national security, as required by United States Code, title 5, section 9101;

(3) other agencies to the extent necessary to provide for protection of the public or property in a declared emergency or disaster situation;

(4) noncriminal justice agencies statutorily mandated, by state or national law, to conduct checks into state databases prior to disbursing licenses or providing benefits;

(5) the public authority responsible for child support enforcement in connection with the performance of its duties;

(6) the public defender, as provided in section 611.272;

(7) a county attorney or the attorney general, as the county attorney's designee, for the purpose of determining whether a petition for the civil commitment of a proposed patient as a sexual psychopathic personality or as a sexually dangerous person should be filed, and during the pendency of the commitment proceedings;

(8) an agency of the state or a political subdivision whose access to systems or services provided from or through the bureau is specifically authorized by federal law or regulation or state statute; ~~and~~

(9) a court for access to data as authorized by federal law or regulation or state statute and related to the disposition of a pending case~~.~~ ; and

(10) a coroner or medical examiner to identify a deceased person as required by section 390.25.

(b) The commissioner of public safety shall establish a monthly network access charge to be paid by each participating criminal justice agency. The network access charge shall be a standard fee established for each terminal, computer, or other equipment directly addressable by the data communications network, as follows: January 1, 1984 to December 31, 1984, $40 connect fee per month; January 1, 1985 and thereafter, $50 connect fee per month.

(c) The commissioner of public safety is authorized to arrange for the connection of the data communications network with the criminal justice information system of the federal government, any state, or country for the secure exchange of information for any of the purposes authorized in paragraph (a), clauses (1), (2), (3), (8) and (9).

(d) Prior to establishing a secure connection, a criminal justice agency that is not part of the Minnesota judicial branch must:

(1) agree to comply with all applicable policies governing access to, submission of or use of the data and Minnesota law governing the classification of the data;

(2) meet the bureau's security requirements;

(3) agree to pay any required fees; and

(4) conduct fingerprint-based state and national background checks on its employees and contractors as required by the Federal Bureau of Investigation.

(e) Prior to establishing a secure connection, a criminal justice agency that is part of the Minnesota judicial branch must:

(1) agree to comply with all applicable policies governing access to, submission of or use of the data and Minnesota law governing the classification of the data to the extent applicable and with the Rules of Public Access to Records of the Judicial Branch promulgated by the Minnesota Supreme Court;

(2) meet the bureau's security requirements;

(3) agree to pay any required fees; and

(4) conduct fingerprint-based state and national background checks on its employees and contractors as required by the Federal Bureau of Investigation.

(f) Prior to establishing a secure connection, a noncriminal justice agency must:

(1) agree to comply with all applicable policies governing access to, submission of or use of the data and Minnesota law governing the classification of the data;

(2) meet the bureau's security requirements;

(3) agree to pay any required fees; and

(4) conduct fingerprint-based state and national background checks on its employees and contractors.

(g) Those noncriminal justice agencies that do not have a secure network connection yet receive data either retrieved over the secure network by an authorized criminal justice agency or as a result of a state or federal criminal history records check shall conduct a background check as provided in paragraph (h) of those individuals who receive and review the data to determine another individual's eligibility for employment, housing, a license, or another legal right dependent on a statutorily mandated background check.

(h) The background check required by paragraph (f) or (g) is accomplished by submitting a request to the superintendent of the Bureau of Criminal Apprehension that includes a signed, written consent for the Minnesota and national criminal history records check, fingerprints, and the required fee. The superintendent may exchange the fingerprints with the Federal Bureau of Investigation for purposes of obtaining the individual's national criminal history record information.

The superintendent shall return the results of the national criminal history records check to the noncriminal justice agency to determine if the individual is qualified to have access to state and federal criminal history record information or the secure network. An individual is disqualified when the state and federal criminal history record information show any of the disqualifiers that the individual will apply to the records of others.

When the individual is to have access to the secure network, the noncriminal justice agency shall review the criminal history of each employee or contractor with the Criminal Justice Information Services systems officer at the bureau, or the officer's designee, to determine if the employee or contractor qualifies for access to the secure network. The Criminal Justice Information Services systems officer or the designee shall make the access determination based on Federal Bureau of Investigation policy and Bureau of Criminal Apprehension policy.

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

ARTICLE 3

HUMAN SERVICES TECHNICAL AND IMPLEMENTATION CORRECTIONS

Section 1. Minnesota Statutes 2018, section 245F.03, is amended to read:

245F.03 APPLICATION.

(a) This chapter establishes minimum standards for withdrawal management programs licensed by the commissioner that serve one or more unrelated persons.

(b) This chapter does not apply to a withdrawal management program licensed as a hospital under sections 144.50 to 144.581. A withdrawal management program located in a hospital licensed under sections 144.50 to 144.581 that chooses to be licensed under this chapter is deemed to be in compliance with section 245F.13.

(c) Minnesota Rules, parts 9530.6600 to 9530.6655, do not apply to withdrawal management programs licensed under this chapter.

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

Sec. 2. Minnesota Statutes 2018, section 245F.04, is amended by adding a subdivision to read:

Subd. 5. **Withdrawal management services authorization.** A license holder providing withdrawal management services may admit an individual when the individual meets the admission criteria in section 245F.05, subdivisions 1 and 2. Any assessor providing an

additional assessment to an individual must follow the process established in section 245F.06. If an assessor identifies an individual's need for withdrawal management services while the individual is a resident of a substance use disorder treatment facility, the provisions of section 256G.02, subdivision 4, paragraphs (c) and (d), shall apply.

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

Sec. 3. Minnesota Statutes 2019 Supplement, section 254A.03, subdivision 3, is amended to read:

Subd. 3. **Rules for substance use disorder care.** (a) The commissioner of human services shall establish by rule criteria to be used in determining the appropriate level of chemical dependency care for each recipient of public assistance seeking treatment for substance misuse or substance use disorder. Upon federal approval of a comprehensive assessment as a Medicaid benefit, or on July 1, 2018, whichever is later, and notwithstanding the criteria in Minnesota Rules, parts 9530.6600 to 9530.6655, an eligible vendor of comprehensive assessments under section 254B.05 may determine and approve the appropriate level of substance use disorder treatment for a recipient of public assistance. The process for determining an individual's financial eligibility for the consolidated chemical dependency treatment fund or determining an individual's enrollment in or eligibility for a publicly subsidized health plan is not affected by the individual's choice to access a comprehensive assessment for placement.

(b) The commissioner shall develop and implement a utilization review process for publicly funded treatment placements to monitor and review the clinical appropriateness and timeliness of all publicly funded placements in treatment.

(c) If a screen result is positive for alcohol or substance misuse, a brief screening for alcohol or substance use disorder that is provided to a recipient of public assistance within a primary care clinic, hospital, or other medical setting or school setting establishes medical necessity and approval for an initial set of substance use disorder services identified in section 254B.05, subdivision 5. The initial set of services approved for a recipient whose screen result is positive may include any combination of up to four hours of individual or group substance use disorder treatment, two hours of substance use disorder treatment coordination, or two hours of substance use disorder peer support services provided by a qualified individual according to chapter 245G. A recipient must obtain an assessment pursuant to paragraph (a) to be approved for additional treatment services.

(d) Notwithstanding Minnesota Rules, parts 9530.6600 to 9530.6655, an individual may choose to obtain a comprehensive assessment as provided in section 245G.05. Individuals obtaining a comprehensive assessment may access any enrolled provider that is licensed to provide the level of service authorized pursuant to section 254A.19, subdivision 3, paragraph (d). If the individual is enrolled in a prepaid health plan, the individual must comply with any provider network requirements or limitations. This paragraph expires July 1, 2022.

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

Sec. 4. Minnesota Statutes 2018, section 254B.03, subdivision 1, is amended to read:

Subdivision 1. **Local agency duties.** (a) Every local agency shall provide chemical dependency services to persons residing within its jurisdiction who meet criteria established by the commissioner for placement in a chemical dependency residential or nonresidential treatment service. Chemical dependency money must be administered by the local agencies according to law and rules adopted by the commissioner under sections 14.001 to 14.69.

(b) In order to contain costs, the commissioner of human services shall select eligible vendors of chemical dependency services who can provide economical and appropriate treatment. Unless the local agency is a social services department directly administered by a county or human services board, the local agency shall not be an eligible vendor under section 254B.05. The commissioner may approve proposals from county boards to provide services in an economical manner or to control utilization, with safeguards to ensure that necessary services are provided. If a county implements a demonstration or experimental medical services funding plan, the commissioner shall transfer the money as appropriate.

(c) A culturally specific vendor that provides assessments under a variance under Minnesota Rules, part 9530.6610, shall be allowed to provide assessment services to persons not covered by the variance.

(d) Notwithstanding Minnesota Rules, parts 9530.6600 to 9530.6655, an individual may choose to obtain a comprehensive assessment as provided in section 245G.05. Individuals obtaining a comprehensive assessment may access any enrolled provider that is licensed to provide the level of service authorized pursuant to section 254A.19, subdivision 3, paragraph (d). If the individual is enrolled in a prepaid health plan, the individual must comply with any provider network requirements or limitations.

(e) Beginning July 1, 2022, local agencies shall not make placement location determinations.

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

Sec. 5. Minnesota Statutes 2019 Supplement, section 256B.0759, subdivision 3, is amended to read:

Subd. 3. **Provider standards.** (a) The commissioner ~~shall~~ must establish requirements for participating providers that are consistent with the federal requirements of the demonstration project.

(b) A participating residential provider must obtain applicable licensure under ~~chapters~~ chapter 245F ~~and~~ or 245G or other applicable standards for the services provided and must:

(1) deliver services in accordance with standards published by the commissioner pursuant to paragraph (d);

(2) maintain formal patient referral arrangements with providers delivering step-up or step-down levels of care in accordance with ASAM standards; and

(3) ~~provide or arrange for~~ offer medication-assisted treatment services ~~if requested by a client for whom an effective medication exists~~ on site or facilitate access to medication-assisted treatment services off site.

(c) A participating outpatient provider must obtain applicable licensure under chapter 245G or other applicable standards for the services provided and must:

(1) deliver services in accordance with standards published by the commissioner pursuant to paragraph (d); and

(2) maintain formal patient referral arrangements with providers delivering step-up or step-down levels of care in accordance with ASAM standards.

(d) If the provider standards under chapter 245G or other applicable standards conflict or are duplicative, the commissioner may grant variances to the standards if the variances do not conflict with federal requirements. The commissioner ~~shall~~ must publish service components, service standards, and staffing requirements for participating providers that are consistent with ASAM standards and federal requirements by October 1, 2020.

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

Sec. 6. Minnesota Statutes 2019 Supplement, section 256B.0759, subdivision 4, is amended to read:

Subd. 4. **Provider payment rates.** (a) Payment rates for participating providers must be increased for services provided to medical assistance enrollees. To receive a rate increase, participating providers must meet demonstration project requirements and provide evidence of formal referral arrangements with providers delivering step-up or step-down levels of care.

(b) For substance use disorder services under section 254B.05, subdivision 5, paragraph (b), clause (8), provided on or after ~~January~~ July 1, 2020, payment rates must be increased by 15 percent over the rates in effect on December 31, ~~2020~~ 2019.

(c) For substance use disorder services under section 254B.05, subdivision 5, paragraph (b), clauses (1), (6), and (7), and ~~(10)~~ adolescent treatment programs that are licensed as outpatient treatment programs according to sections 245G.01 to 245G.18, provided on or after January 1, 2021, payment rates must be increased by ten percent over the rates in effect on December 31, 2020.

(d) Effective January 1, 2021, and contingent on annual federal approval, managed care plans and county-based purchasing plans must reimburse providers of the substance use disorder services meeting the criteria described in paragraph (a) who are employed by or under contract with the plan an amount that is at least equal to the fee-for-service base rate payment for the substance use disorder services described in paragraphs (b) and (c). The commissioner must monitor the effect of this requirement on the rate of access to substance use disorder services and residential substance use disorder rates. Capitation rates paid to managed care organizations and county-based purchasing plans must reflect the impact of this requirement. This paragraph expires if federal approval is not received at any time as required under this paragraph.

(e) Effective July 1, 2021, contracts between managed care plans and county-based purchasing plans and providers to whom paragraph (d) applies must allow recovery of payments from those providers if, for any contract year, federal approval for the provisions of paragraph (d) is not received, and capitation rates are adjusted as a result. Payment recoveries must not exceed the amount equal to any decrease in rates that results from this provision.

EFFECTIVE DATE. This section is effective the day following final enactment, except that paragraph (b) is effective retroactively from July 1, 2019.

Sec. 7. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 2, is amended to read:

Subd. 2. **TANF Maintenance of Effort**

(a) **Nonfederal Expenditures.** The commissioner shall ensure that sufficient qualified nonfederal expenditures are made each year to meet the state's maintenance of effort (MOE) requirements of the TANF block grant specified under Code of Federal Regulations, title 45, section 263.1. In order to meet these basic TANF/MOE requirements, the commissioner may report as TANF/MOE expenditures only nonfederal money expended for allowable activities listed in the following clauses:

(1) MFIP cash, diversionary work program, and food assistance benefits under Minnesota Statutes, chapter 256J;

(2) the child care assistance programs under Minnesota Statutes, sections 119B.03 and 119B.05, and county child care administrative costs under Minnesota Statutes, section 119B.15;

(3) state and county MFIP administrative costs under Minnesota Statutes, chapters 256J and 256K;

(4) state, county, and tribal MFIP employment services under Minnesota Statutes, chapters 256J and 256K;

(5) expenditures made on behalf of legal noncitizen MFIP recipients who qualify for the MinnesotaCare program under Minnesota Statutes, chapter 256L;

(6) qualifying working family credit expenditures under Minnesota Statutes, section 290.0671;

(7) qualifying Minnesota education credit expenditures under Minnesota Statutes, section 290.0674; and

~~(7)~~ (8) qualifying Head Start expenditures under Minnesota Statutes, section 119A.50.

(b) **Nonfederal Expenditures; Reporting.** For the activities listed in paragraph (a), clauses (2) to ~~(7)~~ (8), the commissioner may report only expenditures that are excluded from the definition of assistance under Code of Federal Regulations, title 45, section 260.31.

(c) **Certain Expenditures Required.** The commissioner shall ensure that the MOE used by the commissioner of management and budget for the February and November forecasts required under Minnesota Statutes, section 16A.103, contains expenditures under paragraph (a), clause (1), equal to at least 16 percent of the total required under Code of Federal Regulations, title 45, section 263.1.

(d) **Limitation; Exceptions.** The commissioner must not claim an amount of TANF/MOE in excess of the 75 percent standard in Code of Federal Regulations, title 45, section 263.1(a)(2), except:

(1) to the extent necessary to meet the 80 percent standard under Code of Federal Regulations, title 45, section 263.1(a)(1), if it is determined by the commissioner that the state will not meet the TANF work participation target rate for the current year;

(2) to provide any additional amounts under Code of Federal Regulations, title 45, section 264.5, that relate to replacement of TANF funds due to the operation of TANF penalties; and

(3) to provide any additional amounts that may contribute to avoiding or reducing TANF work participation penalties through the operation of the excess MOE provisions of Code of Federal Regulations, title 45, section 261.43 (a)(2).

(e) **Supplemental Expenditures.** For the purposes of paragraph (d), the commissioner may supplement the MOE claim with other qualified expenditures to the extent such expenditures are otherwise available after considering the expenditures allowed in this subdivision.

(f) **Reduction of Appropriations; Exception.** The requirement in Minnesota Statutes, section 256.011, subdivision 3, that federal grants or aids secured or obtained under that subdivision be used to reduce any direct appropriations provided by law, does not apply if the grants or aids are federal TANF funds.

(g) **IT Appropriations Generally.** This appropriation includes funds for information technology projects, services, and support. Notwithstanding Minnesota Statutes, section 16E.0466, funding for information technology project costs shall be incorporated into the service level agreement and paid to the Office of MN.IT Services by the Department of Human Services under the rates and mechanism specified in that agreement.

(h) **Receipts for Systems Project.** Appropriations and federal receipts for information systems projects for MAXIS, PRISM, MMIS, ISDS, METS, and SSIS must be deposited in the state systems account authorized in Minnesota Statutes, section 256.014. Money appropriated for computer projects approved by the commissioner of the Office of MN.IT Services, funded by the legislature, and approved by the commissioner of management and budget may be transferred from one project to another and from development to operations as the commissioner of human services considers necessary. Any unexpended balance in the appropriation for these projects does not cancel and is available for ongoing development and operations.

(i) **Federal SNAP Education and Training Grants.** Federal funds available during fiscal years 2020 and 2021 for Supplemental Nutrition Assistance Program Education and Training and SNAP Quality Control Performance Bonus grants are appropriated to the commissioner of human services for the purposes allowable under the terms of the federal award. This paragraph is effective the day following final enactment.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.

Sec. 8. Laws 2019, First Special Session chapter 9, article 14, section 2, is amended by adding a subdivision to read:

Subd. 2a. **Working Family Credit as TANF/MOE**

The commissioner may claim as TANF/MOE up to $6,707,000 per year of working family credit expenditures in each fiscal year.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.

Sec. 9. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 24, is amended to read:

Subd. 24. **Grant Programs; Children and Economic Support Grants** 24,315,000 24,315,000

(a) **Minnesota Food Assistance Program.** Unexpended funds for the Minnesota food assistance program for fiscal year 2020 do not cancel but are available for this purpose in fiscal year 2021.

(b) **Shelter-Linked Youth Mental Health Grants.** $250,000 in fiscal year 2020 and $250,000 in fiscal year 2021 are from the general fund for shelter-linked youth mental health grants under Minnesota Statutes, section 256K.46.

(c) **Emergency Services Grants.** $1,500,000 in fiscal year 2020 and $1,500,000 in fiscal year 2021 are to provide emergency services grants under Minnesota Statutes, section 256E.36. This is a onetime appropriation.

(d) **Base Level Adjustment.** The general fund base is $22,815,000 in fiscal year 2022 and $22,815,000 in fiscal year 2023.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.

Sec. 10. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 30, is amended to read:

Subd. 30. Grant Programs; Housing Support Grants 9,264,000 10,364,000

Emergency Services Grants. $1,500,000 in fiscal year 2020 and $1,500,000 in fiscal year 2021 are to provide emergency services grants under Minnesota Statutes, section 256E.36. This is a onetime appropriation.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.

Sec. 11. Laws 2019, First Special Session chapter 9, article 14, section 2, subdivision 31, is amended to read:

Subd. 31. Grant Programs; Adult Mental Health Grants 82,302,000 79,877,000

(a) **Certified Community Behavioral Health Center (CCBHC) Expansion.** $100,000 in fiscal year 2020 and $200,000 in fiscal year 2021 ~~is~~ are from the general fund for grants for planning, staff training, and other quality improvements that are required to comply with federal CCBHC criteria for three expansion sites.

(b) **Mobile Mental Health Crisis Response Team Funding.** $1,250,000 in fiscal year 2020 and $1,250,000 in fiscal year 2021 are for adult mental health grants under Minnesota Statutes, section 245.4661, subdivision 9, paragraph (a), clause (1), to fund regional mobile mental health crisis response teams throughout the state. The base for this appropriation is $4,896,000 in fiscal year 2022 and $4,897,000 in fiscal year 2023.

(c) **Specialized Mental Health Community Supervision Pilot Project.** $400,000 in fiscal year 2020 is for a grant to Anoka County for establishment of a specialized mental health community supervision caseload pilot project. This is a onetime appropriation.

(d) **Base Level Adjustment.** The general fund base is $83,323,000 in fiscal year 2022 and $83,324,000 in fiscal year 2023.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.

Sec. 12. **REVIVAL AND REENACTMENT.**

Minnesota Statutes, section 254B.03, subdivision 4a, is revived and reenacted effective retroactively and without interruption from July 1, 2019.

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

Sec. 13. **REPEALER.**

(a) Minnesota Statutes 2018, section 254B.03, subdivision 4a, is repealed effective July 1, 2020.

(b) Minnesota Rules, parts 9530.6600, subparts 1 and 3; 9530.6605, subparts 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 21a, 21b, 24a, 25, 25a, and 26; 9530.6610, subparts 1, 2, 3, and 5; 9530.6615; 9530.6620; 9530.6622; and 9530.6655, are repealed effective July 1, 2022.

ARTICLE 4

HUMAN SERVICES FORECAST ADJUSTMENTS

Section 1. **HUMAN SERVICES APPROPRIATIONS.**

The dollar amounts shown in the columns marked "Appropriations" are added to or, if shown in parentheses, are subtracted from the appropriations in Laws 2019, First Special Session chapter 9, article 14, from the general fund or any fund named to the Department of Human Services for the purposes specified in this article, to be available for the fiscal year indicated for each purpose. The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal years ending June 30, 2020, or June 30, 2021, respectively. "The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021.

	APPROPRIATIONS Available for the Year Ending June 30	
	2020	**2021**
Sec. 2. **COMMISSIONER OF HUMAN SERVICES**		
Subdivision 1. Total Appropriation	**$ (104,478,000)**	**$ (85,978,000)**
	Appropriations by Fund	
General Fund	(90,509,000)	(11,653,000)
Health Care Access Fund	1,900,000	(73,313,000)
Federal TANF	(15,869,000)	(1,012,000)
Subd. 2. Forecasted Programs		
(a) **MFIP/DWP**		
	Appropriations by Fund	
General Fund	7,600,000	(4,475,000)

Federal TANF	(15,869,000)	(1,012,000)
(b) **MFIP Child Care Assistance**	(24,661,000)	(8,541,000)
(c) **General Assistance**	1,112,000	1,141,000
(d) **Minnesota Supplemental Aid**	1,173,000	1,377,000
(e) **Housing Support**	5,355,000	7,973,000
(f) **Northstar Care for Children**	8,150,000	10,169,000
(g) **MinnesotaCare**	1,900,000	(73,313,000)

These appropriations are from the health care access fund.

(h) **Medical Assistance**

	Appropriations by Fund	
General Fund	(78,267,000)	(11,477,000)
Health Care Access Fund	-0-	-0-
(i) **Alternative Care Program**	-0-	-0-
(j) **CCDTF Entitlements**	(10,971,000)	(7,820,000)
Subd. 3. Technical Activities	-0-	-0-

These appropriations are from the federal TANF fund.

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

Presented to the governor April 14, 2020

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