

1.1 A bill for an act  
1.2 relating to state government; establishing a COVID-19 public health response;  
1.3 extending or terminating certain executive orders; modifying expiration dates of  
1.4 certain laws enacted in response to COVID-19.

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

1.6 Section 1. **COVID-19 PUBLIC HEALTH RESPONSE.**

1.7 Subdivision 1. **Legislative findings; authorization of response powers.** The legislature  
1.8 finds that the public health impacts of the COVID-19 infectious disease outbreak requires  
1.9 a coordinated, multibranch state government response to protect the health and safety of  
1.10 Minnesotans.

1.11 Subd. 2. **COVID-19 response powers.** The state's COVID-19 public health response  
1.12 is governed by this act, as of the effective date of this section. The governor may exercise  
1.13 the powers listed in this section to respond to COVID-19 until the powers are terminated  
1.14 under section 2. Once terminated, the governor may exercise the powers upon proclamation  
1.15 that continuation or revival of the powers is necessary to the state's COVID-19 public health  
1.16 response. The powers granted to the governor under Minnesota Statutes, chapter 12, do not  
1.17 apply to the COVID-19 infectious disease outbreak unless explicitly authorized by this act  
1.18 or other subsequent enactment.

1.19 Subd. 3. **Preservation of certain powers and duties.** (a) In exercising powers under  
1.20 this act, the governor may cooperate with the federal government, with other states, with  
1.21 Canadian provinces, and with private agencies, in all matters pertaining to the COVID-19  
1.22 public health response of this state and of the nation.

1.23 (b) This act does not restrict:

(1) the authority of the governor to exercise powers under Minnesota Statutes, chapter 12, in emergencies that do not relate to the COVID-19 public health response;

(2) the authority of the governor to exercise inherent powers to provide for public health, safety, and welfare, provided that any orders issued pursuant to those powers that relate to the COVID-19 public health response are subject to the legislative review and oversight procedures provided in this act;

(3) the authority of the state director of emergency management, or other officials acting at the direction of the state director, to carry out duties authorized or required by Minnesota Statutes, chapter 12, provided that any exercise of duties that relate to the COVID-19 public health response are subject to the legislative review and oversight procedures provided in this act; and

(4) the authority of local governments to exercise powers authorized under Minnesota Statutes, chapter 12, including as they relate to providing a local COVID-19 public health response.

(c) The rights, duties, and privileges related to the activation of emergency response personnel, as provided in Minnesota Statutes, section 12.35, apply to the activation of these personnel for the COVID-19 public health response.

**Subd. 4. Adoption of emergency rules.** (a) The governor may make, amend, and rescind orders and rules necessary to carry out the provisions of this section within the limits of the authority conferred, with due consideration of the plans of the federal government. Compliance with Minnesota Statutes, sections 14.001 to 14.69, is not required with respect to issuing orders or rules under this subdivision.

(b) Except as provided in this paragraph, rules and orders authorized by this subdivision have the full force and effect of law for a period of 30 days, upon approval by the executive council and filing in the Office of the Secretary of State. The order may be extended, in 30-day increments, by majority vote of the Legislative Coordinating Commission. If the Legislative Coordinating Commission does not vote to extend the order within 30 days, the order expires. If the Legislative Coordinating Commission convenes a meeting to consider the order and does not vote to affirm its extension, the order is terminated immediately upon conclusion of the meeting regardless of whether the 30-day period has lapsed.

(c) At any time before the Legislative Coordinating Commission is scheduled to meet to consider an order, the legislative committees with subject matter jurisdiction over the substance of the order may vote to recommend that an extension of an order be affirmed or denied. The recommendation of a legislative committee is not binding on the Legislative

3.1 Coordinating Commission. The speaker of the house, for committees of the house of  
3.2 representatives, and the president of the senate, for committees of the senate, may determine  
3.3 the committees with subject matter jurisdiction for purposes of this paragraph.

3.4 (d) Rules and orders affirmed for extension by this subdivision continue in effect until  
3.5 the COVID-19 public health response is terminated as provided in section 2. Violations  
3.6 may be enforced consistent with the penalty provided for the performance of an act prohibited  
3.7 by statute, as provided in Minnesota Statutes, section 645.241.

3.8 (e) Rules and ordinances of any agency or political subdivision of the state inconsistent  
3.9 with the provisions of this section, or with any order or rule having the force and effect of  
3.10 law issued under the authority of this subdivision, are suspended during the period of time  
3.11 and to the extent that the COVID-19 public health response powers granted under this  
3.12 section, or the applicable order or rule, exists.

3.13 (f) The legislature, by majority vote of both houses, may vote to disapprove an order or  
3.14 rule issued under this subdivision at any time. The legislature may direct that its vote of  
3.15 disapproval take effect immediately or at a future date. Upon the effective date of a vote of  
3.16 disapproval, the order or rule does not carry the force or effect of law.

3.17 Subd. 5. **Mutual aid and cooperative agreements.** The governor may enter into mutual  
3.18 aid agreements or cooperative agreements consistent with Minnesota Statutes, section 12.21,  
3.19 subdivision 3, clause (5).

3.20 Subd. 6. **State employees; agency operations.** The governor may alter or adjust work  
3.21 schedules of state employees consistent with Minnesota Statutes, section 12.21, subdivision  
3.22 3, clause (10).

3.23 Subd. 7. **State agency operations and duties.** The governor may transfer the direction,  
3.24 personnel, or functions of state agencies to perform or facilitate response and recovery  
3.25 programs.

3.26 Subd. 8. **Acceptance of aid.** The governor may accept, on behalf of the state, offers of  
3.27 aid from the federal government or any person consistent with Minnesota Statutes, section  
3.28 12.22.

3.29 Subd. 9. **Assistance between political subdivisions.** The governor may authorize and  
3.30 direct assistance between political subdivisions consistent with Minnesota Statutes, section  
3.31 12.33.

3.32 Subd. 10. **Fast emergency aid.** The governor may enter contracts and incur obligations  
3.33 to provide fast emergency aid consistent with Minnesota Statutes, section 12.36.

Subd. 11. **Temporary waiver of fees.** Notwithstanding any law to the contrary, the governor may authorize and direct a state agency as defined in Minnesota Statutes, section 16B.01, subdivision 2, to waive fees that would otherwise be charged for agency services. The requirements of Minnesota Statutes, sections 14.055 to 14.056, do not apply to a waiver made under this subdivision.

Subd. 12. **Disposition of human remains.** The governor may provide for the disposition of human remains consistent with Minnesota Statutes, section 12.381.

Subd. 13. **Aid from out-of-state license holders.** The governor may request aid from persons who hold an out-of-state license, certificate, or other permit consistent with Minnesota Statutes, section 12.42.

Subd. 14. **Care in temporary medical facilities.** The governor may direct that medical care for seriously ill or injured persons be given in temporary care facilities, consistent with Minnesota Statutes, section 12.61.

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

Sec. 2. **DURATION AND TERMINATION OF COVID-19 PUBLIC HEALTH RESPONSE.**

Subdivision 1. **Legislative approval required to extend response.** The response powers granted by section 1 are effective the day following final enactment and apply until .... By majority vote of each house of the legislature, the response powers may be extended for a period certain, as specified in the vote. If the governor determines a need to extend the response powers and the legislature is not sitting in regular session, the governor must immediately issue a call convening both houses of the legislature to consider the extension.

Subd. 2. **Termination of response.** The COVID-19 public health response terminates as follows:

(1) the legislature, by majority vote of both houses, may terminate the response at any time; or

(2) upon expiration under subdivision 1, if the legislature has not acted to extend the response or the governor has not called the legislature into session to consider an extension.

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

5.1       Sec. 3. **EXECUTIVE ORDERS; CONTINUATION; TERMINATION.**

5.2           Subdivision 1. **Certain executive orders continued.** Executive Orders ... are continued  
5.3 and remain effective until rescinded by subsequent executive order or until termination of  
5.4 the COVID-19 public health response under section 2.

5.5           Subd. 2. **Certain executive orders terminated.** Executive Orders ... are terminated.

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

5.7       Sec. 4. **PREVIOUS ENACTMENTS; EXPIRATION DATES MODIFIED.**

5.8           Notwithstanding any law to the contrary, any law enacted during the 2020 regular  
5.9 legislative session or a 2020 special legislative session that relates to the COVID-19 public  
5.10 health response remains effective until the COVID-19 public health response is terminated  
5.11 under section 2. This section supersedes and replaces any expiration date, sunset date, or  
5.12 other termination provision provided in a law enacted during the 2020 regular legislative  
5.13 session or a 2020 special legislative session that relates to the COVID-19 public health  
5.14 response.

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

5.16       Sec. 5. **TERMINATION OF PEACETIME EMERGENCY.**

5.17           Effective the day following passage of this act by the House of Representatives and the  
5.18 Senate, and consistent with Minnesota Statutes, section 12.31, subdivision 2, paragraph (b),  
5.19 the peacetime emergency declared by Executive Order 20-01 issued March 13, 2020, is  
5.20 terminated regardless of whether this act is finally enacted.