

SCRFA Review of 2020 Executive Orders Related to the COVID-19 Peacetime Emergency

Official No.	Title	Date Filed	Related EO	Statutory or Other Authority Cited*	Statutes Superseded or Modified	SCRFA Review Staff	Other Notes and Comments <u>Legislation that modifies this order</u>
20-55	Emergency Executive Order 20-55 Protecting the Rights and Health of At-Risk Populations during the COVID19 Peacetime Emergency	05/13/20	20-11 20-12 20-14 20-33 20-47	12.02	No express modification of existing law.	Liam Monahan Carlou Fontaine Pat Hauswald	<p>Strongly urges all at-risk persons and persons experiencing homelessness to stay at home or their place of residence except to engage in necessary activities for health and wellbeing.</p> <p>Defines “at-risk persons,” “home,” and “residence”</p> <p>Provides similar direction regarding homeless encampments as EO 20-47</p> <p>Requires the commissioners of health, human services and public safety to implement guidelines regarding the development and availability of isolation settings for at-risk persons and people experiencing homelessness.</p> <p>Requires commissioners of human services and Health to implement guidelines to protect at-risk persons who must be transferred from their home to prevent further infections.</p> <p>Requires providers of personal care assistance and related services to give people receiving services, counties, and managed care organizations 72 hours notice prior to suspending or terminating services.</p> <p>Requires the commissioner of employment and economic development to issue guidance to businesses to provide accommodations to at-risk customers to minimize the risk of COVID-19 infection.</p> <p>Requires commissioners of administration, health, and human services to collaborate and provide proposals to distribute resources to facilitate provision of services and shelter to at-risk persons and people experiencing homelessness.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.</p>

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20-54	Emergency Executive Order 20-54 Protecting Workers from Unsafe Working Conditions and Retaliation During the COVID-19 Peacetime Emergency	05/13/20	20-01 20-05	12.02; 12.21, subd. 1		Carlou Fontaine	Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority
20-53	Emergency Executive Order 20-53 Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01	05/13/20	20-01 20-35	12.31, subd. 2(b)	No express modification of existing law.	Ken Backhus	Extends the COVID-19 Peacetime Emergency through June 12, 2020, until this EO is rescinded, or until it is terminated by the legislature as provided in law, whichever occurs earlier. Expires: See above.
20-52	Emergency Executive Order 20-52 Authorizing Students in Critical Sectors to Return to Safe Higher Education Institutions for Completion of a Postsecondary Credential	05/11/20	20-48			Hannah Grunewald Joan White	Allows students who are in their final term who are majoring in critical care sectors, listed in this EO, to attend in-person classes that are necessary to graduate. Institutions of HE must first establish and implement a COVID-19 Preparedness Plan.
20-51	Emergency Executive Order 20-51 Requiring Facilities to Prioritize Surgeries and Procedures and Provide Safe Environment during COVID-19 Peacetime Emergency	05/06/20	20-09 20-16 20-17			Katie Cavanor	Rescinds EO 20-09 and 20-17 effective May 10, 2020. Amends EO 20-16 by rescinding the prohibition on any Minnesota business, nonprofit, or nonhospital health care facility from using PPE or other consumable equipment other than for the use in delivering health care services or other essential services that require the equipment. Permits facilities that use PPE and ventilators to resume the provision of currently delayed procedures once the facility has adequately developed and implemented an internal oversight structure and written plan that establishes criteria for determining whether a procedure should proceed during the pandemic, for prioritizing procedures and for ensuring a safe environment for staff, patients and visitors. Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.
20-50	Emergency Executive Order 20-50 Ensuring the Protection of Emergency Government Support and Consumers' Financial Security from Consumer Garnishment Actions During the COVID-19 Peacetime Emergency	05/04/20	20-01 20-35 20-42	12.02, subd. 1; 12.21, subd. 1 and 3; 12.45; 8.31	Several provisions related to garnishment in Chapters 550, 551, 571. Specific provisions cited in order: 550.37, subdivision 14; 571.93 through 571.932; 550.011	Priyanka Premo	Exempts CARES Act recovery rebates from garnishment, except for claims related to child support and spousal maintenance. Suspends service of a garnishment summons, prejudgment garnishment, and ability of creditor to obtain certain information related to debtor. Provides for Attorney General enforcement; imposes a civil penalty of up to \$25,000 per violation. Provides exemption from liability for a financial institution that acts on a pre-existing

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							garnishments summons without actual knowledge of source of funds. Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.
20-49	Emergency Executive Order 20-49 Allowing Commercial Food Trucks to Operate at Highway Rest Areas in Minnesota During the COVID-19 Peacetime Emergency	05/01/20		12.02, subd. 1, 12.21, subds. 1 and 3	160.08, subd. 7, and 160.2725, subd. 1	Alexis Stangl Krista Boyd	Allows food trucks to operate at certain rest stops in the state. Expires: the earliest of the following: May 17, 2020, until it is rescinded, until the peacetime emergency is terminated, or until the national emergency declared by the President ends.
20-48	Emergency Executive Order 20-48 Extending and Modifying Stay at Home Order, Continuing Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation, and Allowing Additional Workers in Certain NonCritical Sectors to Return to Safe Workplaces	05/01/20	20-33 20-38 20-40 20-47 20-18 20-08 20-04			Chris Stang	Stay at home order and closure of bars and restaurants extended through May 17, 2020. Rescinds and replaces EOs 20-33, 20-38, 20-40, and 20-47 as of May 3, 2020. Expires: when the peacetime emergency declared in EO 20-01 is terminated or rescinded by proper authority.
20-47	Emergency Executive Order 20-47 Clarifying Application of Executive Order 20-33 to Homeless Encampments	4/29/20	20-33			Ken Backhus	Provides further guidance on the application of EO-33 (Stay at Home) to homeless encampments. Maintains the general principle that homeless encampments should not be subject to sweeps but clarifies that law enforcement is not prohibited from addressing trespassing or other exigent circumstances and that state or local governments can restrict, limit, or close encampment spaces if sufficient alternate safe housing or shelter is provided or if an encampment has reached a size or status that represents a documented health, safety, or security risk to the residents. Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.
20-46	Emergency Executive Order 20-46 Authorizing Out-of-State Healthcare Professionals to Render Aid in Minnesota during the COVID-19 Peacetime Emergency	4/25/20			Chapters 147 and 148 (licensure for physicians and nurses)	Katie Cavanor	Permits out of state health care professionals who would otherwise be required to obtain a Minnesota license to practice in this state to practice in this state during the peacetime emergency without first obtaining a license if the professional has a relevant license in good standing issued by another state and is engaged with a health care system, hospital or other healthcare entity in Minnesota. The health care entity must verify that the out of state professional holds a valid relevant license in good standing. The

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							Boards of medical practice or nursing may revoke this authorization from any of the out of state professionals under the jurisdiction of the relevant board. Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.
20-45	Emergency Executive Order 20-45 Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota	4/24/20		221.0269, subd. 1	168.013, subd. 3, para. (b), 169.8261, 169.86, 169.87, and 221.0314, subd. 9	Alexis Stangl Krista Boyd	Provides exemptions from certain weight-related and hours of service regulations. Applies to motor carriers transporting wood products used exclusively for the composting process of animals that have been depopulated due to impacts of COVID-19. Expires: This executive order is effective for 30 days or until the assistance has ended, whichever is earlier.
20-44	Emergency Executive Order 20-44 Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota	4/24/20		221.0269, subd. 1	169.86, 169.865, 169.87, and 221.0314, subd. 9	Alexis Stangl Krista Boyd	Provides exemptions from certain weight-related and hours of service regulations. Applies to motor carriers or drivers providing assistance by transporting livestock or animal carcasses. Expires: This executive order is effective for 30 days or until the assistance has ended, whichever is earlier.
20-43	Emergency Executive Order 20-43 Allowing Shareholders Flexibility to Hold Remote Meetings and Avoid Gatherings During the COVID-19 Peacetime Emergency	4/24/20	20-01 20-35	12.21, subd. 1; 12.21 subd. 3(7); 302A.436; 302A.435; SEC guidance issued on 4/7/2020	May modify requirements in articles and bylaws. If so, then EO would modify some requirements in 302A.431 to 302A.436.	Priyanka Premo	Applies to meetings for shareholders and board of directors currently noticed for a physical location. Provides that meetings may take place via remote communication with notice procedures described in the Securities Exchange Act of 1934. Expires: No specific language addressing expiration Legislation that modifies this order: None
20-42	Emergency Executive Order 20-42 Ensuring that Emergency Economic Relief Does Not Prevent Eligibility for Essential Human Services Programs During the COVID-19 Peacetime Emergency	4/24/20			Chapters 119B, 256B, 256J, 256L, and 256P establishing what is counted as income and assets when determining eligibility for various programs.	Katie Cavanor Pat Hauswald	Specifies that certain payments received by individuals as a result of the COVID-19 pandemic will not be counted as income, assets, personal property or resources when determining eligibility for the programs administered by DHS. This includes payments received under the federal CARES act, state government payments, local government payments or tribal government payments paid to individuals to relieve the adverse

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							<p>economic impact caused by the pandemic, subject to federal approval.</p> <p>Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.</p>
20-41	Emergency Executive Order 20-41 Authorizing and Directing the Commissioner of Education to Extend the Distance Learning Period and Continue to Provide	4/23/20	20-02 20-19	12.21, subd. 3(11)	120B.02, subd. 3 134.355, subd. 8	Ann Marie Lewis Jenna Hofer	Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority
20-40	Emergency Executive Order 20-40 Allowing Workers in Certain Non-Critical Sectors to Return to Safe Workplaces	4/23/20	20-33, as amended by 20-38	12.02; 12.21, subd. 1; 12.21, subd. 3(7)	No express modification of existing law	Ken Backhus Andrew Erickson	<p>Allows workers in certain industrial and manufacturing businesses and office-based settings (described as non-critical exempt businesses) that don't involve direct interactions with the public to return to work beginning on April 27. Stresses that all workers who can work from home must do so. A non-critical exempt business must establish and implement a COVID-19 Preparedness Plan prior to the return of workers and train workers regarding it. Further guidance is provided on the DEED website. https://mn.gov/deed/safework/</p> <p>Misdemeanor penalties under 12.45 apply. Also provides a gross misdemeanor penalty and civil liability/enforcement.</p> <p>Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.</p>
20-39	Emergency Executive Order 20-39 Providing Administrative Flexibility to the Department of Human Rights	4/22/20	20-01 20-35	12.02, subdivision 1; 12.21, subdivisions 1 and 3; Laws 2020, chapter 74, article 1, section 16 (cited not as authority but as "justification")	363A.28	Priyanka Premo	<p>Laws 2020, chapter 74, article 1, section 16 suspended the running of statutory deadlines governing district and appellate court proceedings. EO 20-39 authorizes additional time to meet statutory deadlines imposed upon administrative proceedings subject to the Minnesota Human Rights Act. See Minnesota Department of Human Rights website for waivers and modifications.</p> <p>Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority</p>

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20-38	Emergency Executive Order 20-38 Allowing for Safe Outdoor Recreation	4/17/20	20-33 20-18 20-04	12.21, subdivisions 1 and 3	No express modification of existing law	Ben Stanley	Amends EEO 20-33 Allows participation in enumerated outdoor recreational activities where social distancing is maintained and where there is compliance with the Outdoor Recreation and COVID-19 Guidelines for Facilities and the Public developed by the Minnesota Departments of Health and Natural Resources. Includes a number of exceptions where closure of facilities is still required. Expires: effective through May 3, 2020 at 11:59 pm, until it is rescinded by proper authority, or until the peacetime emergency declared in Executive Order 20-01 is terminated, whichever occurs earlier. Legislation that modifies this order: [none]
20-37	Emergency Executive Order 20-37 Extending the Relief from Regulations for Motor Carriers and Drivers Operating in Minnesota Declared in Executive Order 20-06	4/16/20	20-06	221.0269, subd. 1	169.80, 169.823, 169.824, 169.87, 221.0314, subd. 9	Alexis Stangl Krista Boyd	Extends the provisions of EO 20-06, which expired after 30 days. Like EO 20-06, this EO provides exemptions from certain weight-related and hours of service regulations and applies to motor carriers or drivers providing assistance by transporting essential supplies including food, medical supplies, and household items. Expires: This executive order is effective for 30 days or until the assistance has ended, whichever is earlier.
20-36	Emergency Executive Order 20-36 Directing Salary Reductions for Certain Officials	4/15/20	None	12.21, subdivision 3(10)	Minnesota Laws 2013, Chapter 142, article 6, section 12 (setting the Governor's salary) 15A.0815 (salaries of certain commissioners) 190.08, subdivision 6 (salary of the Adjutant General and	Stephanie James Andrew Erickson	Reduces the salary of the governor, his chief of staff, and named cabinet officials by 10%. Explicitly excludes from reductions those state employees in positions not named in the EEO whose salaries are limited proportionally to the governor's salary. These positions include but are not limited to: executive director of the Gambling Control Board, executive director of the Racing Commission, director of the state lottery, chair of the Metropolitan Airports Commission, ombudsman for mental health and developmental disabilities, ombudsperson for

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					commissioner of military affairs) 16E.02 and the Managerial Plan adopted pursuant to Minnesota Statutes 2019, section 43A.18, subdivision 3 (salary of the chief information office) Supersedes Office of the Governor Compensation Plan adopted pursuant to Minnesota Statutes 2019, section 43A.18, subdivision 4(b) (salary of Governor’s chief of staff)		corrections, school trust lands director, commissioners of the Public Utilities Commission, executive director of the Minnesota State Retirement System, executive director of the Public Employee Retirement Association, and executive director of the Teachers Retirement Association. Expires: January 1, 2021, or until rescinded by proper authority Legislation that modifies this order: None
20-35	Emergency Executive Order 20-35 Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01	04/13/20	20-01	12.31, subd. 2(b)	No express modification of existing law.	Stephanie James	Includes Executive Council Resolution on Executive Order 20-35 (Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01) and the extension of the peacetime emergency declared in Executive Order 20-01 through May 13, 2020 Expires: This extends the peacetime emergency declared in EEO 20-01 by 30 days. The governor issued a letter on April 13, 2020 that describes a process the governor intends to follow for further extensions.
20-34	Emergency Executive Order 20-34 Protecting Minnesota’s First Responders by Directing the Commissioner of Health to Share Information with the Department of Public Safety, 911 Dispatchers, and First Responders	04/10/20	20-01	13.3805, subdivision 1(b)(3); 13.09	No express modification; possible that direction to only maintain data as long as necessary modifies retention policy approved pursuant to 138.17.	Priyanka Premo	13.3805, subdivision 1(b)(3) provides discretionary authority to release private health data. Directs the Department of Health to release addresses of contagious individuals to first responders through the Department of Public Safety. Shared data must remain confidential and must be maintained only as long as necessary to accomplish purpose of the EO.

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							<p>Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.</p> <p>Legislation that modifies this order: None</p>
20-33	Emergency Executive Order 20-33 Extending Stay at Home Order and Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation	04/08/20	20-20 20-18 20-08 20-04 Later amended by 20-38	12.02, subd. 1; 12.21, subd.1 and 3	See discussion of the governor’s interpretation of section 12.45 in the “Other Notes and Comments” section.	Chris Stang Ken Backhus	<p>Bar and restaurant closure extended until 5/4.</p> <p>Technically, rescinds EO 20-20 (Stay at Home Order) as of 4/9, and replaces it with this (in effect until 5/4).</p> <p>Refinements and clarifications to the critical services exemptions for Stay at Home. A few to note: landscape and garden centers (6c-ii/iii), hunting and fishing licenses (6i-vi), firearm stores (6o-ii), arts and crafts stores for mask supplies (6o-iii), appliance sales and service,(6aa-iii) minimum basic operations (6jj), (maintain and preserve inventory and plant and equipment). Incorporates the updated (from 3/28/19) US Department of Homeland Security’s Guidance on Essential Critical Infrastructure Workforce (which is attached to the order).</p> <p>The DEED website includes the following as a summary of the order’s significant modifications from earlier orders relating to exempted workers https://mn.gov/deed/assets/critical-worker-summary-ACC_tcml045-427282.pdf and this as general guidance on the order. https://mn.gov/deed/newscenter/covid/business-exemptions/</p> <p>Provides for a misdemeanor penalty for violation pursuant to section 12.45. Also purports to provide gross misdemeanor penalties and attorney general enforcement (no statutory citation provided). The governor’s office via email contends that section 12.45 is an authorization by the legislature to the governor to designate the penalties for violations of chapter 12 or an EO issued pursuant to chapter 12.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or</p>

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							until it is rescinded by proper authority. However, see above for information on 5/4/2020 limitations.
20-32	Emergency Executive Order 20-32 Ensuring that Healthcare Providers Can Respond Quickly and Safely During the COVID-19 Peacetime Emergency	04/08/20	20-01		M.S.144.551;144A.07; 144A.073;144.121;256.04 5; 626.556; 626.557 Various provisions in chapters 62D;62J;62Q;144; 144A;144D;144G; 144H;146A;146B;148;14 9A;153A;157; 327	Katie Cavanor	<p>Authorizes the commissioner of health to delay, waive or modify provisions relating to the hospital and nursing home moratoriums; the use of x ray technologies; and administrative appeals, reconsiderations or reviews involving the department. Authorizes the commissioner to delay, waive, or modify the scope, timelines, reporting requirements and activities of state funded grants to allow the recipient of the grants to use the funds instead to respond to COVID-19.</p> <p>Authorizes the commissioner to establish and regulate temporary alternative health care facilities.</p> <p>Authorizes the commissioner to grant variances on an individual basis to rules within the commissioner's authority that do not affect the health and safety of any person in a licensed program.</p> <p>Authorizes the commissioner to grant blanket variances to rules governing any licensed program within the commissioner's jurisdiction.</p> <p>Requires notice to the legislature and public posting of any delay, waiver, or modification within 48 hours. Requires a report to legislature within 60 days of the end of the emergency summarizing statutes and rules delayed, waived or modified.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.</p>
20-31	Emergency Executive Order 20-31 Providing for Relief from Regulations to Certain Motor Carriers and Drivers Operating in Minnesota	04/08/20			M.S. 169.87, subd. 1 and 2	Alexis Stangl Krista Boyd	<p>Provides an exemption to seasonal load restrictions on state and local roads for vehicles used to pump or transport sewage from septic systems while the vehicle is providing emergency septic system pumping services.</p> <p>Expires: June 1, 2020.</p>
20-29	Emergency Executive Order 20-29 Amending Executive Order 20-05 to Expedite State Unemployment Insurance	04/06/20	20-05	Amends EO 20-05 that cites 12.21	M.S. 268.085, subd. 3	Carlton Fontaine	<p>This EO also contains a requirement that employers notify separated employees that they can apply to unemployment benefits. This is pursuant to federal law (the Emergency Unemployment Insurance Stabilization and Access Act</p>

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	Benefits During the COVID-19 Peacetime Emergency						<p>“EUISSAA”) and imposing the requirement on employers will allow the state to receive an infusion of federal funds to the Minnesota unemployment trust fund.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.</p>
20-28	Emergency Executive Order 20-28 Allowing Out-of-State Mental Health Providers to Render Telehealth Aid and Permitting Certain Licensing Boards to Provide License and Registration Relief During the COVID-19 Peacetime Emergency	04/06/20		12.42	Licensing provisions in chapter 148; 148E; 148B; 150A.09; 150A.09; 155A.25; and 154.15	Katie Cavanor	<p>Authorizes out of state mental health providers who hold current a license in good standing issued by another state to render aid involving their skills in Minnesota by telehealth without obtaining a license to practice in Minnesota. Authorizes the board of dentistry and the board of cosmetologist examiners to waive late fees for license renewal. Authorizes the board of barber examiners to extend the deadline for renewing shop registrations.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority. However, the deadline for barber shop registration renewals is extended from June 30,2020 until July 31,2020 or 30 days following the termination of the peacetime emergency.</p>
20-27	Emergency Executive Order 20-27 - Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota.	04/03/20		221.0269, s. 1	221.0314, s. 9	Alexis Stangl Krista Boyd	<p>Provides exemptions from certain hours of service regulations. Applies to motor carriers or drivers providing assistance by transporting livestock feed and fertilizer used for spring crop planting.</p> <p>Expires: This executive order is effective for 30 days or until the assistance has ended, whichever is earlier.</p>
20-26	Emergency Executive Order 20-26 Ensuring Continuing Operations of the Medical Cannabis Program during the COVID-19 Peacetime Emergency	03/31/20		12.02, subd.1; 12.21, subd.1 and 3	152.27, subd. 3; 152.30; 152.27, subd.4; 152.25, subd.1; 152.29 subd.3; and 152.30	Katie Cavanor	<p>Extends enrollment to the medical cannabis program if a patient’s enrollment is set to expire during the emergency period; permits the certification of a qualifying medical condition to be conducted by a health care practitioner through videoconference, telephone or other remote means and the need for an in person visit is suspended; permits the commissioner to register emergency temporary caregivers and permits caregivers to serve more than one patient; permits cannabis manufacturers to use curbside pick up to dispense to patients or their registered caregivers.</p>

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							<p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.</p> <p>However, for patient enrollments to the medical cannabis program that expire beginning March 21, 2020 through seven days after the end of the peacetime emergency are extended to expire August 1, 2020 or 60 days after the end of the peacetime emergency, whichever is later.</p>
20-25	Emergency Executive Order 20-25 Authorizing Peace Officers, Firefighters, and Security-Related Licensing Boards to Modify Requirements During the COVID-19 Peacetime Emergency	03/31/20		12.21, subd. 1	Appears to partially supersede the requirements in: section 299N.05 that a firefighter receive 72 hours of continuing education in the preceding three years; section 326.3361 that a private detective/protective agent licensee receive six hours of training per year; and section 326.3381 that a private detective/protective agent license be for a two-year period.	Chris Turner Ken Backhus	<p>Delays peace officer and firefighter license renewal deadlines until Jan 1, 2021, and private detective renewal until 60 days after emergency ends.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority. However, the substantive language of the EO (references to “January 1, 2021” and “60 days after emergency ends”) would indicate an impact potentially beyond this.</p>
20-24	Emergency Executive Order 20-24 Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota	03/27/20		221.0269, s. 1	169.86, 169.865, 169.87, and 221.0314, subdivision 9	Alexis Stangl Krista Boyd	<p>Provides exemptions from certain weight-related and hours of service regulations. Applies to motor carriers or drivers providing assistance by transporting livestock.</p> <p>Expires: This executive order is effective for 30 days or until the assistance has ended, whichever is earlier.</p>
20-23	Emergency Executive Order 20-23 Authorizing Minnesota Health-Related Licensing Boards to Modify Requirements During the COVID-19 Peacetime Emergency	03/27/20		M.S. sec. 12.02 M.S. sec. 12.21, s. 1 M.S. sec. 12.21, s. 3	M.S. 148.212 – the order authorizes the Board of Nursing to renew or extend temporary permits beyond time limit in statute	Stephanie James Katie Cavanor Dennis Albrecht	<p>The order authorizes certain additional actions that are not necessarily in conflict with statute:</p> <p>1) the order authorizes the health-related licensing boards and the Emergency Medical Services Regulatory Board to modify licensing and continuing education process. The Boards have</p>

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					M.S. sec. 214.075 – the order allows health-related licensing boards to modify the statutory requirement for criminal background checks for health-related licenses		<p>the authority to make rules on these topics (M.S. sec. 214.12, s. 1). This doesn't necessarily supersede or conflict with statute, but choices the boards make could conflict with statute and/or could be made without a full rulemaking process. (Arguably, the good cause exemption could be invoked to amend rules through an abbreviated process, based on a public health emergency, under current law.)</p> <p>2) The order authorizes the Board of Pharmacy to limit dispensing of chloroquine and hydroxychloroquine. The Board is authorized under current law to regulate the "...wholesale and retail sale of drugs..." This order allows the board to take this action without adopting rules through a rulemaking process.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority. However, continuing education requirements are deferred until the first reporting cycle following the termination of the peacetime emergency. Also, any individual who was granted a license without the submission of fingerprints must undergo a new criminal background check as part of their first renewal application following the termination of the peacetime emergency.</p>
20-22	Emergency Executive Order 20-22 Authorizing the State Auditor to Temporarily Suspend Reporting Requirements During the COVID-19 Peacetime Emergency	03/27/20		M.S. sec. 12.02, s. 1	<p>"[A]ny state law to the contrary"</p> <p>Reporting deadlines in Chapter 6</p>	<p>Andrew Erickson</p> <p>Bjorn Arneson</p> <p>Stephanie James</p>	<p>Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority</p>
20-21	Emergency Executive Order 20-21 Clarifying Application of Executive Order 20-07 to Allow for Coverage of Employees of Constitutional Officers	03/27/20	20-07	None cited for authority of the governor to authorize constitutional officers to adopt COVID-19 leave for their employees or to transfer personnel or functions of their offices.	<p>Chapter 14 (rulemaking) for changes to rules that had been adopted under 43A.04, subd. 3.</p> <p>43A.04, subd. 4 (notice and comment prior to implementation for necessary deviations from</p>	<p>Stephanie James</p> <p>Andrew Erickson</p>	<p>Also suspends certain collective bargaining provisions related to work hours, schedules, and locations; leave approval; seniority; and employee job reassignments.</p> <p>Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority</p>

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				<p>This order amends 20-07 which cites the following statutory authority:</p> <p>12.21, subd. 3(10) 12.21, subd. 3(12) 12.21, subd. 3(1)</p> <p>These statutes give the governor the authority to make certain employment changes for “state employees in the executive branch”.</p>	<p>administrative procedures).</p> <p>43A.10, subd. 2c(b) (21 day posting requirement for classified managerial positions)</p> <p>43A.15, subd. 2 (45-day limit on employment in and length of emergency appointments)</p>		
20-20	Emergency Executive Order 20-20 Directing Minnesotans to Stay at Home	03/25/20	20-02 (school closure)	M.S. sec. 12.02 M.S. sec. 12.21 s.1 M.S. sec. 12.21 s.3 c.7	No express modification of existing law	Tom Bottern Ken Backhus	<p>Very significant effect on businesses, state economy. Note that this table does not address or secondary effects on state revenues.</p> <p>The order requires all people living in Minnesota to stay at home except to engage in certain exempted activities or in critical sector work that cannot be performed at home.</p> <p>The order incorporates the 3/23/20 US Department of Homeland Security’s Guidance on Essential Critical Infrastructure Workforce (which is attached to the order). In addition, it refers to the DEED website as providing clarification for exemptions relating to critical services exemptions (http://mn.gov/deed/critical/) and the department of health’s website for clarifications on exempted activities (https://www.health.state.mn.us/diseases/coronavirus/).</p> <p>Penalties apply for violation of the order (M.S. 12.45).</p> <p>Expires: This executive order was to remain in effect until the peacetime emergency declared in EO 20-01 was terminated or until it was rescinded by proper authority. It wound up being rescinded/replaced by EO 20-33.</p>

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							Legislation that modifies this order
20-19	Emergency Executive Order 20-19 Authorizing and Directing the Commissioner of Education to Implement a Distance Learning Period and Continue to Provide a Safe Learning Environment for Minnesota's Students	03/25/20	20-02	M.S. sec. 12.21, s. 3, c. 11	126C.05; 120B.30, s.1, p. (e)	Ann Marie Lewis Jenna Hofer	Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.
20-18	Emergency Executive Order 20-18 Continuing the Closure of Bars, Restaurants, and Other Places of Public Accommodation	03/25/20	20-04 20-08	None.	No express modification of existing law	Chris Stang	Closure of bars, restaurants, and establishments of public accommodation extended until 5/1/20. Penalties apply for violation of the order (M.S. 12.45).
20-17	Emergency Executive Order 20-17 Clarifying Application of Executive Order 20-09 to Veterinary Surgeries and Procedures	03/23/20	20-09	M.S. sec.12.21, s.3, clause 1	No express modification of existing law	Dan Mueller	1. Veterinarians should use professional judgement and expertise in determining the urgency of case. The Board advises that routine spay and neuter surgeries are examples of elective surgery. 2. The Board will construe the “timely visits” requirement to be met if the veterinarian has examined the patient or visited where the animal is kept within the past 18 months. 3. Veterinarians whose license expires on February 28, 2021, who have not completed sufficient continuing education for license renewal, will be granted an extension until February 28, 2023 upon written request to the Board.
20-16	Emergency Executive Order 20-16 Directing Non-Hospital Entities to Inventory and Preserve Vital Medical Equipment During the COVID-19 Peacetime Emergency	03/23/20	20-09	M.S. sec. 12.02 M.S. sec. 12.21 s. 1	13.01, subd. 3 (EO states that information supplied under this EO will be classified as nonpublic data until the end of the peacetime emergency).	Chris Stang Hannah Grunewald Joan White Andrew Erickson Priyanka Premo	Business, non-profits, and non-hospital healthcare facilities required to inventory and report on PPE and ventilators not required for critical healthcare or essential services. Must refrain from using and donate to or hold for use by critical healthcare workers. Expires: For duration of peacetime emergency or until executive order rescinded.
20-15	Emergency Executive Order 20-15 Providing Immediate Relief to Small Businesses During the COVID-19 Peacetime Emergency	03/23/20	20-04 20-08	12.02 12.21	116M (Emerging entrepreneur loan program in 116M.18); 116J.423 (21 st Century Fund); 116J.8731 (MIF); 16A; 16C (State emergency purchasing);	Carlton Doyle Fontaine Casey Muhm	Related legislation: Laws 2020, Ch. 71, contains provisions allowing for transfers from MIF and 21 st Century Fund, emergency purchasing, MIF onetime exception, creating account for small business emergency loans; small business loan guarantee program changes.

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					363A.36; 363A.44 (Equal pay certificates and affirmative action plan)		Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.
20-14	Emergency Executive Order 20-14 Suspending Evictions and Writs of Recovery During the COVID-19 Peacetime Emergency	03/23/20	20-01	12.21, subd. 3	504B.285; 504B.291; 504B.365, subdivision 1; 504B.135 to 504B.146; potentially other provisions of chapter 504B governing either evictions or lease duration	Priyanka Premo Casey Muhm	EO cites similar action by President Trump related to suspension of certain foreclosures and evictions; cites similar orders by other states or local governments. Penalties apply for violation of the order (M.S. 12.45). Expires: when the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority. Legislation that modifies this order: None
20-13	Emergency Executive Order 20-13 Authorizing National Guard Assistance to COVID-19 Response	03/21/20	20-01	None cited.	No express modifications of existing law.	Joan White Andrew Erickson	National Guard ordered to state active duty to provide assistance and coordination to ensure health care systems have adequate supply of PPE. Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority
20-12	Emergency Executive Order 20-12 Preserving Access to Human Services Programs During the COVID-19 Peacetime Emergency	03/20/20		12.21, subd. 3(1)	Permits waiver or modification of chapters 119B, 245, 245A, 245D-H, 246, 252, 253, 254A, 254B, 256, 256B, 256D, 256E, 256I-M, 256P, 256R, 256S, 260C, 260D, 518A, 626, corresponding rules, and any other provisions within human services exclusive jurisdiction Suspends Chapter 14 (rulemaking, record keeping)	Pat Hauswald Dennis Albrecht	Grants commissioner of human services discretionary authority to waive or modify statutory provisions and related rules regarding human services programs and services. Requires notice and public posting of any waivers or modifications within 48 hours. Requires ongoing report to legislature every 60 days summarizing waivers and modifications issued. Allows chairs of legislative HHS committees to object to a waiver or modification. Legislation that modifies this order: SF4200 (1 st Engrossment) has not passed but would enact this order as session law, excluding the suspension of Chapter 14.

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							Legislation that modifies this order
20-11	Emergency Executive Order 20-11 Securing Federal Authority to Continue Human Services Programs During the COVID-19 Peacetime Emergency	03/20/20		12.21, subd. 3(1)	No express modification of existing law	Pat Hauswald Dennis Albrecht	Permits commissioner of human services to seek federal waivers to change federal requirements for programs and services administered by the department as necessary to obtain federal funding and maintain coverage and program participation. Legislation that modifies this order: None.
20-10	Emergency Executive Order 20-10 Combatting Price Gouging During the COVID-19 Peacetime Emergency	03/20/20	20-01	12.21, subd 3(1) Also references: 8.31 (attorney general's authority under the Order)	No express modification of existing law	Chris Stang Stephanie James Andrew Erickson Priyanka Premo	Prohibits selling essential consumer goods or services for unconscionably excessive price. Broad definition of essential (eg, food, fuel, housing, transportation, healthcare, drugs, cleaning goods). Penalties apply for violation of the order (M.S. 12.45). Expires: This executive order is effective until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority
20-09	Emergency Executive Order 20-09 Directing Delay of Inpatient and Outpatient Elective Surgery and Procedural Cases during COVID-19 Peacetime Emergency	03/19/20	20-17	12.21, subd. 3(1)	No express modification of existing law	Liam Monahan Katie Cavanor Dennis Albrecht	Suspends all nonessential or elective surgeries and procedures that utilize PPE or ventilators; defines nonessential surgery or procedure. Penalties apply for violation of the order (M.S. 12.45). Expires: This executive order is effective until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority
20-08	Emergency Executive Order 20-08 Clarifying Public Accommodations Subject to Executive Order 20-04	03/18/20	20-04	12.21, subd 3(1)	No express modifications of existing law	Andrew Erickson Stephanie James	Amends EEO 20-04. Penalties apply for violation of the order (M.S. 12.45). Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority
20-07	Emergency Executive Order 20-07 Providing for State Workforce Needs During the COVID-19 Peacetime Emergency	03/17/20	20-21	12.21, subd. 3(10) 12.21, subd. 3(12) 12.21, subd. 3(1)	Chapter 14 (rulemaking) for deviations from rules adopted under 43A.04, subd. 3.	Stephanie James Andrew Erickson	Also suspends certain collective bargaining provisions related to work hours, schedules, and locations; leave approval; seniority; and employee job reassignment

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					43A.04, subd. 4 (notice and comment prior to implementation for necessary deviations from administrative procedures) 43A.10, subd. 2c(b) (21 day posting requirement for classified managerial positions) 43A.15, subd. 2 (45-day limit on employment in and length of emergency appointments) Also supersedes contract provisions Chapter 14 (rulemaking) for changes to rules that had been adopted under 43A.04, subd. 3.		Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority
20-06	Emergency Executive Order 20-06 Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota	03/17/20		221.0269, subd. 1	169.80, 169.823, 169.824, 169.87, 221.0314, subdivision 9	Alexis Stangl Krista Boyd	Provides exemptions from certain weight-related and hours of service regulations. Applies to motor carriers or drivers providing assistance by transporting essential supplies including food, medical supplies, and household items. Expires: This executive order is effective for 30 days or until the assistance has ended, whichever is earlier.
20-05	Emergency Executive Order 20-05 Providing Immediate Relief to Employers and Unemployed Workers During the COVID-19 Peacetime Emergency	03/16/20		12.21	Ch 268 (unemployment law) as a whole is “suspended;” specifically cites 268.035 subdivisions 23a(a) and (b); 268.085, subdivisions 1, 9 and 13a; and 268.047	Carlton Doyle Fontaine Casey Muhm	Related legislation: Laws 2020, Ch. 71, puts this EO into effect in session law. Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.

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20-04	Emergency Executive Order 20-04 Providing for Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation	03/16/20	20-08 20-18	12.21, subd 3(1)	No express modifications of existing law	Chris Stang	Take-out and delivery allowed. No more than 5 persons allowed in establishments for take-out. Must stay at least 6 ft apart. Penalties apply for violation of the order (M.S. 12.45). Expires: This executive order remains in effect until the peacetime emergency declared in EO 20-01 is terminated or until it is rescinded by proper authority.
20-03	Emergency Executive Order 20-03 Protecting Residents of Minnesota Veterans Homes during the COVID-19 Peacetime Emergency	03/16/20		M.S..sec 12.21, subd 3(1)	Section 144.651, subd 26(a) and 27. Health care bill of rights allowing visitors and resident meetings	Joan White Andrew Erickson	Applies to five MN Veterans Homes: restricts visitors and non-essential health care personnel, except end-of-life situations. Mandatory health screening of workers. Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.
20-02	Emergency Executive Order 20-02 Authorizing and Directing the Commissioner of Education to Temporarily Close Schools to Plan for a Safe Educational Environment	03/15/20	20-19	M.S. sec 12.21, s. 3(11)	120A.41	Ann Marie Lewis Jenna Hofer	Expires: This executive order remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.
20-01	Emergency Executive Order 20-01 Declaring a Peacetime Emergency and Coordinating Minnesota's Strategy to Protect Minnesotans from COVID-19	03/13/20	Extended by EEO 20-35	None	None	Joan White Andrew Erickson Stephanie James	Requires National Guard to be ready to assist. Requires MDH to provide guidance on how to prevent and reduce community spread of COVID-19 and to manage critical healthcare resources. Expires: No expiration date specified in the order. Under 12.31, a peacetime emergency declaration is for 5 days and continued by resolution of the Executive Council for up to 30 days. The Executive Council extended EEO 20-01 for that period. The governor later issued EEO 20-35 that extends the EEO 20-01 for 30 days. In a letter dated April 13, 2020, the governor describes a process the governor intends to follow for further extensions.

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* Each order cites the authority vested in the Governor “by the Constitution and applicable statutes.” In addition, each order cites Minn. Stat. section 4.035, subd. 2, for the purpose of giving the order immediate effect. All of the orders except 20-01, 20-02, 20-06, 20-07, 20-13, 20-16, 20-24, 20-27, 20-31, and 20-36 cite Minn. Stat. section 12.32, which suspends rules and ordinances that are inconsistent with the order.