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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 3029

02/11/2020 Authored by Ecklund, Layman, Sandstede, Lislegard, Lueck and others
The bill was read for the first time and referred to the Jobs and Economic Development Finance Division
02/13/2020 By motion, recalled and re-referred to the Greater Minnesota Jobs and Economic Development Finance Division
04/30/2020 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
Pursuant to Joint Rule 2.03, re-referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act
1.2 relating to telecommunications; establishing a grant program for distance learning
1.3 equipment; establishing a grant program for telemedicine equipment purchased
1.4 to deal with COVID-19; requiring reports; appropriating money.

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

1.6 Section 1. DISTANCE LEARNING BROADBAND ACCESS GRANT PROGRAM.

1.7 Subdivision 1. Definition. For the purposes of this section, "commissioner" means the
1.8 commissioner of education.

1.9 Subd. 2. Establishment. A distance learning broadband access grant program is
1.10 established in the Department of Education to provide wireless or wire-line broadband
1.11 access for a limited duration to students currently lacking Internet access so that the students
1.12 may participate in distance learning offered by school districts and charter schools during
1.13 the peacetime public health emergency period that relates to the infectious disease known
1.14 as COVID-19.

1.15 Subd. 3. Eligible expenditures. A grant awarded under this section may be used to:

1.16 (1) provide a student with the equipment necessary for the student to use a broadband
1.17 connection to access learning materials available on the Internet through a mobile wireless
1.18 or wire-line broadband connection;

1.19 (2) reimburse a school district or charter school for actual costs incurred to provide
1.20 emergency distance learning wireless or wire-line broadband access during the 2019-2020
1.21 school year; and

2.1 (3) reimburse a school district or charter school for the cost of wireless or wire-line
2.2 broadband Internet access for households with students that did not otherwise have Internet
2.3 access before March 13, 2020, for the 2019-2020 school year.

2.4 Subd. 4. **Eligible applicants.** A Minnesota school district or charter school may apply
2.5 for a grant award under this section.

2.6 Subd. 5. **Application review.** (a) An applicant for a grant under this section must file
2.7 an application with the commissioner on a form developed by the commissioner. The
2.8 commissioner may consult with the commissioner of employment and economic development
2.9 when developing the form.

2.10 (b) An application for a grant under this subdivision must describe a school district's or
2.11 charter school's approach to identify and prioritize access for students unable to access the
2.12 Internet for distance learning and may include a description of local or private matching
2.13 grants or in-kind contributions.

2.14 (c) A school district or charter school may develop its application in cooperation with
2.15 the school district's or charter school's community education department, the school district's
2.16 or charter school's adult basic education program provider, a public library, an Internet
2.17 service provider, or other community partner.

2.18 (d) The commissioner must award grants under this section on a first-come, first-served
2.19 basis.

2.20 (e) The commissioner must develop administrative procedures governing the application
2.21 and grant award process.

2.22 Subd. 6. **Grant amount.** The commissioner must establish a maximum per-pupil amount
2.23 for grants awarded under this section based on (1) the number of districts and charter schools
2.24 that apply for a grant, and (2) the availability of federal money for a similar purpose.

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

2.26 Sec. 2. **TELEMEDICINE EQUIPMENT REIMBURSEMENT GRANT PROGRAM.**

2.27 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
2.28 the meanings given.

2.29 (b) "Commissioner" means the commissioner of employment and economic development.

2.30 (c) "Licensed health care provider" has the meaning given in Minnesota Statutes, section
2.31 256B.0625, subdivision 3b, paragraph (e).

3.1 (d) "Telemedicine" has the meaning given in Minnesota Statutes, section 62A.671,
3.2 subdivision 9.

3.3 (e) "Telemedicine equipment" means multimedia communications equipment and
3.4 software that facilitates the delivery of telemedicine by a licensed health care provider.

3.5 Subd. 2. **Establishment.** A grant program is established in the Department of
3.6 Employment and Economic Development to award grants to reimburse licensed health care
3.7 providers and counties that purchase and install telemedicine equipment in order to provide
3.8 COVID-19-related health care services to Minnesotans.

3.9 Subd. 3. **Eligible applicants.** A licensed health care provider or a county is eligible to
3.10 receive a grant under this section.

3.11 Subd. 4. **Eligible expenditures.** A grant may be made under this section to reimburse
3.12 the cost incurred by a licensed health care provider or a county to purchase and install
3.13 telemedicine equipment that enables the licensed health care provider to diagnose and
3.14 evaluate patients with respect to the infectious disease known as COVID-19.

3.15 Subd. 5. **Application; review.** (a) An applicant for a grant under this section must file
3.16 an application with the commissioner on a form developed by the commissioner. The
3.17 commissioner may consult with the commissioners of commerce, human services, and
3.18 health when developing the form.

3.19 (b) The commissioner must award grants under this section on a first-come, first-served
3.20 basis.

3.21 (c) The commissioner must develop administrative procedures governing the application
3.22 and grant award process.

3.23 (d) When awarding grants, the commissioner must consult with the commissioner of
3.24 health to determine areas of the state with the greatest need for telemedicine equipment.

3.25 Subd. 6. **Limitation.** The commissioner may establish a maximum amount for a grant
3.26 awarded under this section based on the number of applications received and the total
3.27 reimbursement amount requested.

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

3.29 Sec. 3. **APPROPRIATION.**

3.30 (a) \$8,000,000 in fiscal year 2020 is appropriated from the general fund to the
3.31 commissioner of employment and economic development for transfer to the commissioner
3.32 of education for emergency distance learning wireless or wire-line broadband access for

4.1 student grants for school districts and charter schools under section 1. Up to five percent of
4.2 the appropriation under this paragraph may be used to reimburse reasonable costs incurred
4.3 by the Department of Education to administer section 1. This is a onetime appropriation.
4.4 Any funds that remain unexpended on September 30, 2020, are transferred to the
4.5 border-to-border broadband fund account established in Minnesota Statutes, section 116J.396.
4.6 By December 1, 2020, the commissioner of education must report to the legislature regarding
4.7 the districts and charter schools that received grants under section 1, the per-pupil amount
4.8 for each grant, and the number of students that were provided Internet access. The report
4.9 must also identify the costs to administer the grant program and the amount transferred to
4.10 the border-to-border broadband fund.

4.11 (b) \$2,000,000 in fiscal year 2020 is appropriated from the general fund to the
4.12 commissioner of employment and economic development to award grants for the purchase
4.13 of telemedicine equipment under section 2. Up to five percent of the appropriation under
4.14 this paragraph may be used to reimburse the reasonable costs incurred by the Department
4.15 of Employment and Economic Development to administer section 2. This is a onetime
4.16 appropriation. Any funds that remain unexpended on September 30, 2020, are transferred
4.17 to the border-to-border broadband fund account established in Minnesota Statutes, section
4.18 116J.396. By December 31, 2020, the commissioner of employment and economic
4.19 development must report to the legislature regarding the number of applications received
4.20 under section 2, the number of grants awarded, the maximum and minimum grant amounts
4.21 awarded, and the mean and median grant amounts awarded. The report must also identify
4.22 the costs to administer the grant program and the amount transferred to the border-to-border
4.23 broadband fund.

4.24 (c) \$10,000,000 in fiscal year 2021 is appropriated from the general fund to the
4.25 commissioner of employment and economic development for deposit in the border-to-border
4.26 broadband fund account established in Minnesota Statutes, section 116J.396. Before July
4.27 1, 2021, the appropriation must be used only to provide broadband service in unserved
4.28 areas, except that broadband infrastructure, as defined in Minnesota Statutes, section
4.29 116J.394, for that purpose may be placed in underserved areas. Beginning July 1, 2021, the
4.30 appropriation may be used for grants and the purposes described in Minnesota Statutes,
4.31 section 116J.395. Notwithstanding the limitation in Minnesota Statutes, section 116J.395,
4.32 subdivision 7, paragraph (a), the grants are available for 55 percent of total project cost if
4.33 the grant is matched by ten percent or more from a nonstate entity. The nonstate entity
4.34 providing the match may include but is not limited to organized townships, cities, counties,

- 5.1 foundations, nonprofits, school districts, or higher education institutions. This is a onetime
- 5.2 appropriation.
- 5.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.