By Greg Colby

Judge Advocate

The American Legion

Department of Minnesota

 On May 13, 2020, Gov. Tim Walz announced several new emergency executive orders that could have significant impact on the American Legion in Minnesota.

**Emergency Executive Order 20-56** – amends and changes a number of rules for operating during the pandemic. Specifically at paragraph 7b, the Governor ordered that

 **“** Plan to reopen bars, restaurants, and other places of public accommodation. The Commissioners of Health, Employment and Economic Development, and Labor and Industry are directed to develop a phased plan to achieve the limited and safe reopening of bars, restaurants, and other places of public accommodation beginning on June 1, 2020. This plan will be ready for presentation to the public no later than May 20, 2020.” A week from now the Minnesota Department of Employment and Economic Development and the Minnesota Department of Health should have a plan for the limited and safe reopening of bars and restaurants.

     My conclusion is that nothing has changed for the rest of May, but things will start changing on June 1. For the rest of May, bars still cannot be engaged in the business of on sale liquor sales or on site consumption, but a plan will be presented next week to begin re-opening bars and restaurants beginning June 1. All posts with restaurant or bar operations are urged to read this emergency order and to consult with their attorney.

**Emergency Executive Order 20-55** contains some very good explanations as to why we need to continue to be careful and to follow public health rules.

  As businesses reopen and some restrictions on movement have been relaxed, we must continue efforts to contain the spread of COVID-19 and to protect the most vulnerable Minnesotans, including the nearly 10,000 Minnesotans experiencing homelessness who are living outside or in a temporary shelter, the over 110,000 Minnesotans living in or receiving services from residential settings, the 778,000 Minnesotans under age 65 with an underlying health condition, and the 888,000 Minnesotans who are over age 65. Many Minnesotans at risk of serious illness due to COVID-19, including older adults and people with disabilities, whether they live in their own homes, a shelter, outdoors, in long-term care facilities, treatment centers, or a temporary location due to a COVID-19 infection, are in need of protections to support their health and safety during the COVID-19 pandemic.

 We recognize that our communities of color and indigenous communities are disproportionately represented among populations with underlying conditions and co-morbidities that increase the risk of becoming severely ill if they contract COVID-19. These communities also make up a large percentage of the direct service caregivers working on the frontlines of this pandemic, and because of their interactions through their work, have increased chances to encounter and contract COVID-19. Taking action to protect vulnerable populations will help ensure we do not exacerbate these disparities.

 **At-risk persons strongly urged to stay at home.** Beginning on Sunday, May 17, 2020 at 11:59 pm and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded

 **At-risk persons defined**. Consistent with guidance issued by the Centers for Disease Control and Prevention (“CDC”), “at-risk persons” include people who are:

a. 65 years and older.

b. Living in a nursing home or a long-term care facility, as defined by the Commissioner of Health.

c. Any age with underlying medical conditions, particularly if not well controlled, including:

i. People with chronic lung disease or moderate to severe asthma.

ii. People who have serious heart conditions.

iii. People who are immunocompromised (caused by cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, or prolonged use of corticosteroids and other immune weakening medications).

iv. People with severe obesity (body mass index (BMI) of 40 or higher).

v. People with diabetes.

vi. People with chronic kidney disease undergoing dialysis. vii.People with liver disease.

 My conclusion: Plenty of our fellow Minnesotans remain at risk. As we defended our fellow citizens during the wars of the 20th Century and the challenges of the 21st Century, so now do we need to act smart and safe to protect our fellow citizens once again. And, let's not forget our friends and fellow vets now living in Minnesota's veterans homes. A lot of them remain at risk. Let's do our part to help them stay healthy and get through this national emergency.

**Emergency Executive Order 20-54** Protects workers from unsafe work conditions and retaliation during peacetime emergency

**Emergency Executive Order 20-53** the governor extended the COVID 19 peacetime emergency through June 12, 2020.