



# Minnesota Statutes

## Chapter 12

### Emergency Management

[hsem.dps.mn.gov](http://hsem.dps.mn.gov)



- Chapter 12: Emergency Management. (1951)
- Chapter 12A: Natural Disaster; State Assistance. (2008)
- Chapter 12B: Public Disaster Assistance. (2014)

- Creates Division of Emergency Management (DEM).
- Requires local government emergency management agencies.
- Confers emergency and disaster powers upon the governor and governing bodies of political subdivisions.
- Provides for rendering of mutual aid among political subdivisions, other states, and Canadian provinces.
- Makes financial assistance available to the state and eligible applicants as a result of natural or other disasters.

- Specifies DEM duties and responsibilities.
  - Includes emergency management training.
- Requires a state emergency operations plan.
- Directs nuclear power plant emergency response planning.
- Gives governor general direction and control of emergency management.
- Gives governor direct operational control during:
  - National security emergency.
  - Nuclear power plant emergency.
  - Energy supply emergency.
    - Declared by executive council or legislature.

- Local emergencies may be declared only by mayor or county board chairs.
  - Extended beyond three days by governing body.
- Local emergency declarations:
  - Invoke necessary portions of local disaster plans.
  - Authorize aid and assistance under those plans.
  - Make necessary resources available.
  - Enter into contracts and incur obligations to provide fast emergency aid.
  - Suspend time consuming procedures and formalities.

- Governor may declare national security emergency.
  - Imminence or occurrence of a major disaster from enemy sabotage or hostile action.
  - If legislature is not in regular session, governor concurrently issues a call immediately convening both houses.
  - In effect not to exceed 30 days.
- National security emergency declaration:
  - Governor may exercise the powers and duties conferred and imposed by sections 12.31 to 12.37 and 12.381.

- Examples of governor’s emergency powers:
  - Authorize and direct assistance between political subdivisions.
  - Require any person to perform services for emergency management.
  - Commandeer vehicles, tools, appliances, medical supplies, other personal property and facilities for emergency management services.
  - Enter into contracts and incur obligations to provide fast emergency aid.
  - Suspend time consuming procedures and formalities.
  - Temporary waiver of fees.
  - Direct measures to provide for safe disposition of dead human bodies.

- Governor may declare peacetime emergency.
  - Act of nature, technology failure, terrorist incident, industrial accident, hazardous materials incident, or civil disturbance endangers life and property and local government resources are inadequate to handle the situation.
  - In effect not to exceed 5 days.
  - May be extended not to exceed 30 days by Executive Council.
  - May be terminated beyond 30 days by the legislature.
- Peacetime emergency declaration:
  - Governor may exercise peacetime emergency powers.
  - Invoke necessary portions of the state emergency operations plan.
  - Authorize aid and assistance under those plans.



Questions and discussion.