

CHAPTER 660—S. F. No. 549

[Coded in Part]

An act relating to civil defense; providing for certain disaster measures; amending Minnesota Statutes 1961, Sections 12.03; 12.21, Subdivision 3; 12.22, Subdivision 2; 12.34, Subdivision 1.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Section 12.03, is amended by adding a subdivision thereto as follows:

*Subd. 8. **Civil defense; disaster measures.** "Imminence" means clear and present danger to life and/or property rights as a result of probable enemy attack.*

Sec. 2. Minnesota Statutes 1961, Section 12.21, Subdivision 3, is amended to read:

Subd. 3. In performing his duties under this chapter and to effect its policy and purpose, the governor is further authorized and empowered:

(1) To make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this chapter within the limits of the authority conferred upon him herein, with due consideration of the plans of the federal government and without complying with sections 15.0411 to 15.049, inclusive, but no order, rule or regulation shall have the force and effect of law except as provided by section 12.32;

(2) To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into and coordinated with the civil defense plans of the federal government and of other states to the fullest possible extent, and to coordinate the preparation of plans and programs for civil defense by the political subdivisions of this state, such plans to be integrated into and coordinated with the civil defense plan and program of this state to the fullest possible extent;

(3) In accordance with such plan and program for the civil defense of this state, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps, including the partial or full mobilization of civil defense organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need;

(4) To make such studies and surveys of the industries,

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for civil defense, and to plan for the most efficient emergency use thereof;

(5) On behalf of this state, to enter into mutual aid arrangements with other states and to coordinate mutual aid plans between political subdivisions of this state;

(6) To delegate any administrative authority vested in him under this chapter, except the power to make rules and regulations, to provide for the subdelegation of any such authority;

(7) To appoint, in cooperation with local authorities, metropolitan area directors when practicable;

(8) To cooperate with the president and the heads of the armed forces, the civil defense agency of the United States and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the civil defense of the state and nation, including the direction or control of

(a) blackouts and practice blackouts, air raid drills, mobilization of civil defense forces, and other tests and exercises;

(b) warnings and signals for drills or attacks and the mechanical devices to be used in connection therewith;

(c) the effective screening or extinguishing of all lights and lighting devices and appliances;

(d) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services;

(e) the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, prior, and subsequent to drills or attack;

(f) public meetings or gatherings; and

(g) the evacuation, ~~and~~ reception, *and sheltering* of the civilian population;

(9) To contribute, with the approval of the executive council, to a political subdivision, within the limits of the appropriation therefor, not more than 25 percent of the cost of acquiring organizational equipment which meets standards established by him;

(10) To formulate and execute, with the approval of the executive council, plans and regulations for the control of traffic in order to provide for the rapid and safe movement over public highways and streets of troops, vehicles of a military nature, ma-

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terials for national defense and war or for use in any war industry, for the conservation of critical materials or for civil defense purposes, and to coordinate the activities of the departments or agencies of the state and of the political subdivisions thereof concerned directly or indirectly with public highways and streets, in a manner which will best effectuate such plans.

Sec. 3. Minnesota Statutes 1961, Section 12.22, Subdivision 2, is amended to read:

Subd. 2. **Offers of aid, political subdivisions or persons.** Whenever any person, firm or corporation shall offer to the state or to any political subdivision thereof, services, equipment, supplies, materials, *real property*, or funds by the way of gift, grant or loan, for purposes of civil defense, the state, acting through the governor, or such political subdivision, acting through its governing body, may accept such offer and upon such acceptance the governor of the state or the governing body of such political subdivision may authorize any officer of the state or of the political subdivision, as the case may be, to receive such services, equipment, supplies, materials, *real property*, or funds on behalf of the state or such political subdivision, and subject to the terms of the offer, but no moneys or other funds shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law. *Real property so accepted shall be treated as, and subject to the same immunities during time of Civil Defense emergency as real property owned by the state.*

Sec. 4. Minnesota Statutes 1961, Section 12.34, Subdivision 1, is amended to read:

12.34 . **Persons required to assist.** Subdivision 1. During a civil defense emergency, the governor, the state director or a member of a class of members of a state or local civil defense organization designated by the governor, may, when necessary to save life or property, (1) require any person, except members of the federal or state military forces and officers of the state or a political subdivision, to perform services for civil defense purposes as directed by any of the persons first above described, and (2) commandeer, ~~for the time being during a civil defense emergency,~~ any motor vehicle, tools, appliances or any other *personal* property.

Approved May 13, 1963.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.