

State of Minnesota

H. F. No. 4629

2.1 days unless an extension is granted by the legislature. The legislature may provide by law
2.2 the process for conducting an emergency declaration in a manner authorized by this section.

2.3 Sec. 2. **SUBMISSION TO VOTERS.**

2.4 The proposed amendment must be submitted to the people at the 2020 general election.
2.5 If ratified, the amendment is effective January 1, 2021. The question submitted must be:
2.6 "Shall the Minnesota Constitution be amended to allow the governor to declare an
2.7 emergency?"

2.8 Yes
2.9 No "

2.10 **ARTICLE 2**
2.11 **EMERGENCY DECLARATION ENABLING LEGISLATION**

2.12 Section 1. Minnesota Statutes 2018, section 12.31, subdivision 2, is amended to read:

2.13 Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a
2.14 peacetime emergency. A peacetime declaration of emergency may be declared only when
2.15 an act of nature, a technological failure or malfunction, a terrorist incident, an industrial
2.16 accident, a hazardous materials accident, or a civil disturbance endangers life and property
2.17 and local government resources are inadequate to handle the situation. If the peacetime
2.18 emergency occurs on Indian lands, the governor or state director of emergency management
2.19 shall consult with tribal authorities before the governor makes such a declaration. Nothing
2.20 in this section shall be construed to limit the governor's authority to act without such
2.21 consultation when the situation calls for prompt and timely action. When the governor
2.22 declares a peacetime emergency, the governor must immediately notify the majority and
2.23 minority leaders of the senate and the speaker and majority and minority leaders of the
2.24 house of representatives. A peacetime emergency must not be continued for more than ~~five~~
2.25 seven days unless, before it lapses, it is extended by ~~resolution of the Executive Council~~ a
2.26 majority vote of each house of the legislature for up to 30 days. A majority "no" vote from
2.27 either house means the emergency declaration ceases when the seven days lapse. If the
2.28 legislature is not sitting in session during the declaration of an emergency, the governor
2.29 must issue a call immediately convening both houses of the legislature before the seven
2.30 days lapse under the emergency declaration. An order, or proclamation declaring, continuing,
2.31 or terminating an emergency must be given prompt and general publicity and filed with the
2.32 secretary of state.

(b) By majority vote of each house of the legislature, the legislature may terminate a peacetime emergency extending beyond 30 days. If the governor determines a need to extend the peacetime emergency declaration beyond ~~30 days~~ the 30-day extension under paragraph (a), and the legislature is not sitting in session, the governor must issue a call immediately convening both houses of the legislature. A majority "no" vote from either house means the emergency declaration ceases when the 30-day extension under paragraph (a) ends, unless the legislature votes to terminate the emergency declaration earlier. Nothing in this section limits the governor's authority over or command of the National Guard as described in the Military Code, chapters 190 to 192A, and required by the Minnesota Constitution, article V, section 3.

EFFECTIVE DATE. This section is effective January 1, 2021, if the constitutional amendment proposed to the people in article 1 is adopted at the 2020 general election.