

Dressing equipment.

Approved April 13, 1976.

CHAPTER 266—H.F.No.1892

[Coded in Part]

An act relating to emergency services; defining disaster and emergency; specifying powers of political subdivisions in relation to local emergencies; providing for loans in disaster areas; amending Minnesota Statutes 1974, Section 12.03; and Chapter 12 by adding sections.

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

Section 1. Minnesota Statutes 1974, Section 12.03, is amended to read:

12.03 EMERGENCY SERVICES; LOCAL EMERGENCIES; POWERS OF POLITICAL SUBDIVISIONS; DEFINITIONS. Subdivision 1. For the purposes of this chapter each term defined in this section has the meaning ascribed to it.

Subd. 2. "Disaster" means a situation which creates an immediate and serious impairment to the health and safety of any person, or a situation which has resulted or is likely to result in catastrophic loss to property, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

Subd. 3. "Emergency" means an unforeseen combination of circumstances which calls for immediate action to prevent a disaster from developing or occurring.

Subd. 2-4. "Civil defense" "Emergency services" means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to prevent, minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other enemy hostile action; or from fire, flood, earthquake, or other natural causes. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, ~~air-raid~~ warning services, communications, radiological, chemical and other special weapons defense, evacuation of persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to preparation for and carrying out of the foregoing functions.

Changes or additions indicated by underline deletions by ~~strikeout~~

Subd. 3-5 . "Federal government" means the United States of America.

Subd. 4-6 . "Local organization for civil defense emergency services " means an organization created in accordance with the provisions of this chapter by the state or a political subdivision to perform local civil defense emergency services functions.

Subd. 5-7 . "Mobile support unit" means an organization for civil defense emergency services created in accordance with the provisions of this chapter by the state or a political subdivision to be dispatched by the Governor to supplement local organizations for civil defense emergency services in a stricken area.

Subd. 6-8 . "Organizational equipment" means equipment and supplies essential for civil defense emergency services in excess of equipment and supplies provided for normal operation of the state or a political subdivision to the acquisition of which the federal government will contribute.

Subd. 7-9 . "Political subdivision" means a county, city, town, or a ~~public corporation~~ metropolitan airports commission created and operating under Minnesota Statutes 1961, Sections 360.101 to 360.133.

Subd. 8-10 . "Imminence" means clear and present danger to life and/or property rights as a result of ~~probable enemy attack~~ an emergency or disaster .

Sec. 2. Minnesota Statutes 1974, Chapter 12, is amended by adding a section to read:

[12.29] LOCAL EMERGENCIES. Subdivision 1. A local emergency may be declared only by the mayor of a municipality or the chairman of a county board of commissioners or their legal successors. It shall not be continued for a period in excess of three days except by or with the consent of the governing board of the political subdivision. Any order, or proclamation declaring, continuing, or terminating a local emergency shall be given prompt and general publicity and shall be filed promptly by the chief of the local records keeping agency of the subdivision.

Subd. 2. A declaration of a local emergency shall invoke necessary portions of the response and recovery aspects of applicable local or interjurisdictional disaster plans, and may authorize aid and assistance thereunder.

Subd. 3. No interjurisdictional agency or official may declare a local emergency unless expressly authorized by the agreement under which the agency functions. However, an interjurisdictional disaster agency shall provide aid and services in accordance with the agreement under which it functions.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 3. Minnesota Statutes 1974, Chapter 12, is amended by adding a section to read:

[12.301] COMMUNITY DISASTER LOANS. Whenever, at the request of the governor, the president has declared a major disaster to exist in this state, the governor is authorized:

(a) Upon his determination that a political subdivision of the state will suffer a substantial loss of tax and other revenues from a major disaster and has demonstrated a need for financial assistance to perform its governmental functions, to apply to the federal government, on behalf of the political subdivision, for a loan, and to receive and disburse the proceeds of any approved loan to any applicant political subdivision.

(b) To determine the amount needed by any applicant political subdivision to restore or resume its governmental functions, and to certify the same to the federal government. No application amount shall exceed 25 percent of the annual operating budget of the applicant for the fiscal year in which the major disaster occurs.

(c) To recommend to the federal government, based upon his review, the cancellation of all or any part of repayment when, in the first three full fiscal year period following the major disaster, the revenues of the political subdivision are insufficient to meet its operating expenses, including additional disaster-related expenses of a municipal operation character.

Sec. 4. This act is effective on the date following final enactment.

Approved April 13, 1976.

CHAPTER 267—H.F.No.1918

An act relating to the city of Shakopee; authorizing an increase in fire department relief association lump sum service benefits.

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

Section 1. **SHAKOPEE, CITY OF; FIRE DEPARTMENT RELIEF ASSOCIATION.** Subdivision 1. The fire department relief association of the city of Shakopee may provide in its bylaws for a lump sum pension in an amount which does not exceed \$500 per year of service if the retiring member receiving the pension qualifies for a service pension under Minnesota Statutes, Section 69.06, notwithstanding the limitation imposed by section 69.06.

Subd. 2. The provisions of Minnesota Statutes, Section 69.06 shall

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