
CHAPTER 64—H.F.No.116

An act relating to banks and banking; extending the period for activation of detached facilities after issuance of certificates of authorization; amending Minnesota Statutes 1978, Section 47.54, Subdivision 4.

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

Section 1. Minnesota Statutes 1978, Section 47.54, Subdivision 4, is amended to read:

Subd. 4. If upon the hearing, it appears to the commissioner that the requirements for approval contained in subdivision 2 have been met, he shall, not later than 90 days after the hearing, and after the applicant has otherwise complied with the provisions of law applicable to the establishment of a facility, issue the certificate of authorization. If a facility is not activated within ~~12~~ 18 months from the date of issue of the certificate, the certificate shall automatically expire. If the commissioner's order is appealed, the commissioner may grant such reasonable extensions of time as he deems necessary, but the extensions may not exceed a total of 18 months from the date on which all appeals or rights of appeal from the commissioner's order have concluded or expired. At the expiration of the extensions, the order and certificate shall automatically expire. If the commissioner shall decide that the application should not be granted, he shall issue his order to that effect and forthwith give notice by certified mail to the applicant.

Sec. 2. This act is effective the day following its final enactment and shall apply to any certificates issued less than 18 months prior to the effective date of this act.

Approved May 3, 1979.

CHAPTER 65—H.F.No.299

An act relating to emergency services; authorizing the governor to declare a peacetime emergency under certain circumstances prior to federal declaration; clarifying the term "civil defense"; amending Minnesota Statutes 1978, Sections 12.03, Subdivision 4; and 12.31; repealing Minnesota Statutes 1978, Section 12.25, Subdivision 4.

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

Section 1. Minnesota Statutes 1978, Section 12.03, Subdivision 4, is amended to read:

Subd. 4. "Emergency services or civil defense " 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

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disasters. These functions include, without limitation, fire-fighting services, police services, medical and health services, rescue, engineering, 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.

Sec. 2. Minnesota Statutes 1978, Section 12.31, is amended to read:

12.31 ENEMY ATTACK; DECLARATION OF EMERGENCY. Subdivision 1. In the event information from the president of the United States or of the ~~office of civil defense mobilization~~ federal emergency management agency or the department of defense or through the national air warning system indicates the imminence of an actual enemy attack upon the United States, which means the several states, the District of Columbia, the Commonwealth of Puerto Rico, and the Panama Canal Zone, or the occurrence, within the state of Minnesota, of a major disaster from enemy sabotage or other hostile action, the governor may, by proclamation, declare that a civil defense emergency exists in all or any part of the state; and, if the legislature is then in regular session, or, if it is not, if the governor concurrently with his proclamation declaring such an emergency issues a call convening immediately both houses of the legislature, he shall have and may exercise for a period not to exceed 30 days the emergency powers and duties conferred and imposed upon him by sections 12.31 to 12.37, and the political subdivision shall have and may exercise for such period of not to exceed 30 days the powers and duties conferred and imposed upon them by sections 12.31 to 12.37. The lapse of such emergency powers shall not, as regards any act or acts occurring or committed within said 30-day period, deprive any person, firm, corporation, political subdivision, municipal corporation or body politic of any right or rights to compensation or reimbursement which he, she, it or they may have under the provisions of this chapter.

Subd. 2. The governor may declare a peacetime emergency. A peacetime declaration of emergency may be declared only when an act of nature, industrial accident or hazardous materials accident endangers life and property and local government resources are inadequate to handle the situation. It shall not be continued for a period of more than five days unless extended by resolution of the executive council up to 30 days. Any order, or proclamation declaring, continuing or terminating an emergency shall be given prompt and general publicity and shall be filed with the secretary of state.

Subd. 3. A declaration of a peacetime emergency shall invoke necessary portions of the state comprehensive plan developed pursuant to section 12.21, subdivision 3, relating to response and recovery aspects and may authorize aid and assistance thereunder.

Sec. 3. Minnesota Statutes 1978, Section 12.25, Subdivision 4, is repealed.

Approved May 3, 1979.

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