

STATE OF MINNESOTA

Executive Department



Governor Tim Walz

Executive Order 19-23; Rescinding Executive Order 15-14

Directing the Development and Maintenance of the Minnesota Continuity of Government Plan and Agency Continuity of Operations Plans

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Government is instituted for the security, benefit, and protection of the people, and the Governor is required to take care that the laws be faithfully executed. Emergencies and disasters can interrupt government operations and hinder the ability of the State to deliver critical priority services to the people of Minnesota. The State of Minnesota must be prepared to sustain and restore government and government services in a timely and effective manner.

The Continuity of Government Plan ("COG") addresses the succession of governmental leadership, the survivability of state-level constitutional and democratic government, and State Essential Functions ("SEF"). To ensure the State's wellbeing, the leaders of the State are responsible for providing SEF at all times, including during and after a crisis.

A Continuity of Operations Plan ("COOP") addresses continuation of critical priority services after a disruption of normal activities.

The State maintains a comprehensive and effective COG that provides the framework for the continuation of SEF under all circumstances and COOPs that provide for the continuation of priority services during any incident, emergency, or disaster that may disrupt normal operations.

For these reasons, I order that:

1. In this Executive Order, "agency" refers to each department, independent division, bureau, board, commission, and independent institution of state government. Each agency will carry out the COG, COOP, and other preparedness responsibilities described in this executive order. The head of each agency is accountable for the execution of the responsibilities described in this executive order and must commit the resources necessary for the development and maintenance of continuity plans and preparations.

2. Minnesota Management and Budget (“MMB”) is designated the lead agency for continuity planning and program coordination.
3. MMB will direct the State’s response during continuity emergencies impacting state agencies or facilities.
4. The Continuity Policy Coordination Sub-Cabinet (“Sub-Cabinet”) is established consisting of the Commissioner, or Commissioner’s designees, of the following Agencies:
 - a. Department of Administration (“Admin”)
 - b. MMB
 - c. Minnesota IT Services (“MNIT”)
 - d. Department of Public Safety (“DPS”)
5. The Commissioner of MMB will serve as Chair and may designate additional Sub-Cabinet members as necessary.
6. The purpose of the Sub-Cabinet is to develop and maintain a framework for the COG and oversee agency COOP planning. The elements of the COG will include:
 - a. Orders of succession for government operations.
 - b. Alternate facilities for the constitutional officers and senior leaders of the legislature and judiciary.
 - c. Lines of communication for the constitutional officers and senior leaders of the legislature and judiciary.
 - d. A plan for continuation of SEF.
 - e. A review and update of current laws, orders, and policies related to continuity of government operations.
7. The Commissioner of MMB will designate an Enterprise Continuity Director.
8. The Enterprise Continuity Director will develop and manage the COG. The Enterprise Continuity Director will work with the Sub-Cabinet to coordinate agency continuity planning and oversee planning of COOPs by agencies.
9. MMB will provide administrative support including, but not limited to, personnel necessary to perform the duties and responsibilities of the Sub-Cabinet. Participating agencies will assist in providing any additional administrative support requested by the Sub-Cabinet.

10. MMB will:

- a. Manage the State's emergency paid leave authorization during continuity emergencies requiring office closures.
- b. Coordinate the reassignment of state employees between agencies during continuity emergencies.
- c. Provide coordination of emergency messaging to agency employees during continuity emergencies.

11. MMB will communicate with union officials and appropriate representatives proactively to reduce disruption of state service delivery by employees during a continuity emergency. MMB will strive to develop options to sustain staffing at agencies during a continuity emergency.

12. MNIT will:

- a. Establish information technology disaster recovery ("IT DR") plans that align with the priorities and recovery timelines of agency priority services to ensure the State is adequately managing the risk of system and service interruptions.

13. Admin will:

- a. Coordinate and contract for alternate facilities for use by agencies. Upon request by Admin, agencies not impacted by the continuity emergency will coordinate with Admin to provide space to an impacted agency.
- b. Assist state agencies with the procurement of goods and services through the Office of State Procurement ("OSP").
- c. Provide resource management assistance to agencies through the operation of mail services and the Facilities Management Division ("FMD").

14. Agencies will designate a continuity coordinator charged with coordinating the development of agency-specific COOPs and support of the COG.

15. Agencies will ensure continuity coordinators earn and maintain a Continuity Professional Certification issued by at least one of the following recognized and accredited organizations:

- a. DRI International
- b. Business Continuity Institute
- c. Federal Emergency Management Agency ("FEMA")

16. Each agency will plan to support the COG in a manner and form prescribed by MMB. Continuity plans will be consistent with FEMA's Continuity Guidance Circular, as

well as requirements adopted by the State, to the extent possible. Agencies will submit COOPs annually to MMB.

17. Each agency will plan to support the COG in a manner and form prescribed by MMB. COOPs will be consistent with federal continuity directives and guidance, as well as guidance adopted by the State, to the extent possible. Agency COOPs will address:
 - a. Critical priority services: The limited set of agency functions that must be continued throughout, or resumed rapidly after, an interruption of normal activities.
 - b. Orders of succession: Provisions for the assumption of leadership or other key positions during an emergency in the event that any of the incumbents are unavailable to execute their duties.
 - c. Delegations of authority: Delegation of statutory, other legal authority, or decision-making power to subordinates in the event that any of the incumbents are unavailable to execute the authority.
 - d. Alternate facilities: Locations from which leadership and others may operate during a continuity event if their primary facility is unavailable. These may include one or more alternate facilities, virtual offices, or telework locations from which to continue priority services.
 - e. Continuity communications: Plans, procedures and systems that support information sharing and connectivity between leadership, employees, and other organizations and partners to perform priority services during a continuity emergency.
 - f. Essential records management: Identification, protection, and availability of information systems and applications, electronic and hardcopy data, documents, references, and records needed to support priority services during a continuity emergency.
 - g. Human resources considerations: Policies, plans, and procedures that address human resources needs during a continuity incident, such as guidance on pay, leave, work scheduling, benefits, telework, and hiring.
 - h. Plan training, exercising, and evaluation: Policies, plans, and procedures that address training and exercising of agency plans and employees to enhance continuity readiness.
 - i. Reconstitution: The process by which an agency and its employees resume normal operations from the agency's original facility or at a replacement facility following the loss of a facility during a continuity emergency.

- j. Continuity requirements for third-parties providing or supporting SEF and priority services: The responsibilities of third-party organizations to support an agency's SEF and priority services during a continuity emergency.
 - k. Policies, plans, and procedures: Documentation on how an agency will execute its responsibilities assigned by this order.
 - l. Incident command/crisis management: Strategies and procedures outlining how an agency will manage a significant continuity emergency.
18. The Commissioner of MMB will distribute this Executive Order to all agencies and ensure that its provisions are implemented.
19. Executive Order 15-14 is rescinded.

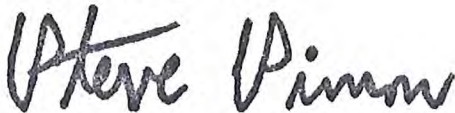
This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2018, section 4.035, subdivision 3.

Signed on April 4, 2019.



Tim Walz
Governor

Filed According to Law:



Steve Simon
Secretary of State

