

**EXECUTIVE ORDER 87-7  
PROVIDING FOR THE ESTABLISHMENT OF A  
STATE EMERGENCY RESPONSE COMMISSION**

I, RUDY PERPICH, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, on October 17, 1986, the President signed the "Superfund Amendments and Reauthorization Act of 1986" (the Act) which contains new provisions for emergency planning and community right to know; and

WHEREAS, among these new provisions is one which requires that the governor of each state appoint a State Emergency Response Commission (the Commission) within six months of the Act's effective date; and

WHEREAS, this Commission, within nine months of the Act's effective date, is required to designate emergency planning districts so as to facilitate preparation and implementation of emergency plans; and

WHEREAS, to the extent practical, the Commission must be comprised of individuals with technical expertise in the emergency response field; and

WHEREAS, the Governor is specifically authorized to designate as the State Emergency Response Commission an existing state sponsored or appointed emergency response commission or organization; and

WHEREAS, the Community Emergency Response Hazardous Substances Protection Act created a Hazardous Substance Notification Advisory Committee made up of individuals with technical expertise in the emergency response field; and

WHEREAS, personnel in several state agencies also have technical expertise in the emergency response field;


NOW, THEREFORE, I hereby order that:

1. There is hereby created a State Emergency Response Commission for the State of Minnesota, hereinafter referred to as "the Commission."
2. The Commission shall consist of the present members of the Hazardous Substance Notification Advisory Committee; the Commissioners of the Departments of Agriculture, Health, and Public Safety; and the Director of the Pollution Control Agency.
3. The Commission shall perform all duties and acts necessary and appropriate to carry out its responsibilities under the federal "Superfund Amendments and Reauthorization Act of 1986" (the Act).
4. The Department of Public Safety shall supply necessary staffing and services for the Commission.
5. The Commission is authorized to accept such funds as may be made available to the Commission to carry out its responsibilities pursuant to the Act and this Executive Order.

- 6. In carrying out its responsibilities, the Commission is authorized to call upon any department, office, division or agency of the State of Minnesota to supply such data, reports or other information it deems necessary. Each department, office, division or agency of the State is authorized and directed, to the extent not inconsistent with law, to cooperate with the Commission and to furnish it with such information, personnel and assistance as necessary to accomplish the purpose of the Act and this Executive Order.
  
- 7. Nothing in this Executive Order shall restrict or otherwise limit the statutory duties, functions and powers of the Commissioner of Public Safety under the Community Emergency Response Hazardous Substances Protection Act.
  
- 8. To the extent possible, the Commission and the Commissioner of Public Safety shall coordinate their respective activities in carrying out any overlapping functions and duties.


Pursuant to Minnesota Statutes, Section 4.035, subd. 2, this Order shall be effective 15 days after its publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes 1986, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this seventeenth day of April, 1987.



RUDY PERPICH  
Governor

Filed According to Law:



JOAN ANDERSON GROWE  
Secretary of State

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED  
APR 16 1987  
*Joan Anderson Growe*  
Secretary of State