

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 186

Pursuant to Minnesota Statutes 2002, Section 16B.37, the following administrative reorganization is made with the prior approval of the Governor.

In order to improve efficiency and avoid duplication in the operation of state government, programs currently administrated by the Department of Children, Families and Learning are being transferred to the Department of Human Services to allow the Department of Children, Families and Learning to more effectively focus on its core mission of educating children. The reorganization aligns programs and services within the Department of Human Services that are related to the Department of Human Service's core function of administering programs and providing services for children, families and individuals in need.

The following functions, programs, personnel, powers, responsibilities and duties of the Department of Children, Families and Learning are transferred to the Department of Human Services:

1. Authority to Consolidate Funding, Minnesota Statutes, § 119A.05 (2002).
2. Neighborhood Based Services for Children and Families, Minnesota Statutes, § 119A.08 (2002).
3. Children's Trust Fund for Prevention of Child Abuse, Minnesota Statutes, §§ 119A.10-119A.17 (2002).
4. Advisory Council, Minnesota Statutes, § 119A.35 (2002).
5. Community Services Block Grants, Minnesota Statutes, §§ 119A.374-119A.376 (2002).
6. Transitional Housing Programs, Minnesota Statutes, § 119A.43 (2002).
7. Emergency Services Grants, 1997 Session Laws, Chapter 162, art. 3, §7.
8. Foodshelf Programs, M.S. § 119A.44 (2002).

9. Minnesota Family Assets for Independence, Minnesota Statutes, § 119A.445 (2002).
10. Early Childhood Facilities, Minnesota Statutes, § 119A.45 (2002).
11. Family Service and Community Based Collaboratives, Minnesota Statutes, § 124D.23 (2002).
12. Federally funded grants for Supportive Housing, Emergency Shelter, and Emergency Food Assistance, and Community Food and Nutrition Programs.
13. Child care programs and services under Minnesota Statutes Chapter 119B (2002).
14. Migrant Child Care, Minnesota Statutes, §§ 119A.04, subd. 1(4) and 256.01.

The powers, duties and responsibilities of the Commissioner of Children, Families and Learning over the transferred programs are transferred to the Commissioner of Human Services. The Commissioner of Children, Families and Learning and the Commissioner of Human Services will take all necessary actions to provide for the prompt and orderly transition of programs and services under this order.

The transfer of programs, personnel, powers, responsibilities and duties for the programs and services under Minnesota Statutes Chapter 119B to the Department of Human Services will begin when this Order is filed with the Secretary of State. However, there will be a transition period to maximize transfer of federal funding and to achieve the orderly transfer of functions, programs, personnel, powers, responsibilities and duties for the programs and services under Minnesota Statutes Chapter 119B. This transfer will be completed by September 30, 2003.

Consistent with this transfer of programs, services, powers and duties, all affected personnel, with all accrued benefits, are transferred from the Department of Children, Families and Learning to the Department of Human Services.

Nothing in this Order shall be construed as abrogating or modifying any rights now enjoyed by affected employees under the managerial or commissioner's plan under Minnesota Statutes, § 43A.18 (2002), or the terms of an agreement between an exclusive representative of public employees and the state or one of its appointing authorities.

The Department of Children, Families and Learning will give the Department of Human Services all contracts, books, maps, plans, papers, records, supplies and equipment relating to the transferred activities.

Rulemaking authority of the Department of Children, Families and Learning for any of the transferred programs pursuant to any other order, directive, rule or law is transferred to the Department of Human Services. All rules adopted by the Department of Children Families and Learning pursuant to these transferred functions, powers and duties remain in effect and shall be enforced until amended or repealed in accordance with law by the Department of Human Services.

The Department of Human Services is the legal successor in all respects of the Department of Children, Families and Learning in regard to the transferred duties. The bonds, resolutions, contracts and liabilities of the Department of Children, Families and Learning become the bonds, resolutions, contracts and liabilities of the Department of Human Services.

Any proceeding, court action, prosecution, or other business or matter pending on the effective date of the transfer may be conducted and completed by the Department of Human Services in the same manner under the same terms and conditions and with the same effect, as though it involved or were commenced and conducted or completed prior to the transfer from the Department of Children, Families and Learning.

The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes, § 16B.37, subd. 3 (2002). The unexpended balance of any appropriation to the Department of Children, Families and Learning for the purposes of any powers, functions or duties that are transferred herein are reappropriated to the Department of Human Services under the same conditions as the original appropriation to the Department of Children, Families and Learning.

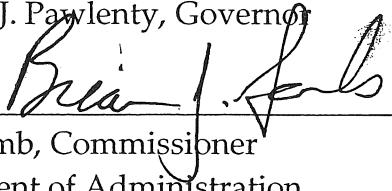
Pursuant to Minnesota Statutes § 16B.37, subd. 2 (2002), copies of this Order were submitted to the chairs of the Governmental Operations committees in the House of Representatives and the Senate at least 30 days before the Order was filed with the Secretary of the Senate.

In accordance with Minnesota Statutes, § 16B.37, subd. 2, this Order is effective upon filing with the Secretary of State and shall remain in effect until amended, repealed or superseded.

APPROVED:



Timothy J. Pawlenty, Governor



Brian Lamb, Commissioner

Department of Administration

3-13-03

Date

3/13/03

Date

FILED ACCORDING TO LAW:

Mary Kiffmeyer, Secretary of State

Date