

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 189

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

Effective July 1, 2003, the following actions are scheduled to occur in relation to the Department of Economic Security:

1. The Department of Economic Security will be abolished pursuant to Minnesota Laws 2001, First Special Session Chapter 4, Article 3, Section 1, as amended by Minnesota Laws 2002, Chapter 220, Article 12, Section 13.
2. The responsibilities of the Department of Economic Security performed by its workforce services unit for employment transition services, youth services, welfare-to-work services, and workforce exchange services are transferred to the Department of Trade and Economic Development pursuant to Minnesota Laws 2001, First Special Session Chapter 4, Article 3, Section 2, subd. 1, as amended by Minnesota Laws 2002, Chapter 220, Article 12, Section 14.
3. By operation of Minnesota Statutes, Section 16B.38 (2002), all other powers, functions, responsibilities and duties of the Commissioner of Economic Security or the Department of Economic Security are transferred to the Commissioner of Administration effective July 1, 2003.
4. Pursuant to Minnesota Laws 2003, First Special Session, Chapter 4, Section 1, the name for the Department of Trade and Economic Development is changed to the Department of Employment and Economic Development.

To the Department of Public Safety: In order to improve efficiency and avoid duplication in the operation of state government, the following juvenile justice programs formerly administered by the Department of Economic Security are transferred to the Commissioner of Public Safety: (1) the Juvenile Accountability Incentive Block Grants, Public Laws 106-553; (2) the Formula Grant Title II and Title V, (Juvenile Justice and Delinquency Prevention), 42 U.S.C. § 5601, et seq. and Minnesota Statutes, Section 268.29 (2002); and (3) the Juvenile Justice Advisory Committee, Minnesota Statutes, Section 268.29 (2002).

All of the powers, administrative functions, responsibilities, and duties in relation to these programs, along with any related funding including matching funds,

are transferred to the Commissioner of Public Safety. Consistent with this transfer, all affected personnel, with all accrued benefits, are transferred to the Department of Public Safety.

To the Department of Employment and Economic Development: In order to improve efficiency and avoid duplication in the operation of state government, all of the other programs, functions, powers, responsibilities, and duties formerly assigned to the Department of Economic Security or the Commissioner of Economic Security, which by operation of Minnesota Statutes, Section 16B.38 (2002) transfer to the Commissioner of Administration), are hereby transferred to the Commissioner of Employment and Economic Development. Consistent with this transfer all affected personnel, with all accrued benefits, are transferred to the Department of Employment and Economic Development.

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, Section 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 sending agency shall give the agency receiving the transferred programs, functions, powers, duties and responsibilities all contracts, books, maps, plans, papers, records, supplies and equipment relating to the transferred activities.

Rulemaking authority formerly granted to the Commissioner of Economic Security or the Department of Economic Security for any of the transferred juvenile justice programs is transferred to the Department of Public Safety. All other rulemaking authority formerly granted to the Commissioner of Economic Security or the Department of Economic Security is transferred to the Commissioner of Employment and Economic Development and the Department of Employment and Economic Development. All rules adopted by the Department of Economic Security pursuant to the transferred functions, powers and duties remain in effect and shall be enforced until amended or repealed in accordance with law by the receiving agency.

The Department of Public Safety is the legal successor in all respects of the Department of Economic Security in regard to the transferred juvenile justice programs. The Department of Employment and Economic Development is the legal successor in all respects of the Department of Economic Security in regard to all of the other transferred programs, powers, responsibilities and duties. The bonds, resolutions, contracts and liabilities of the Department of Economic Security become the bonds, resolutions, contracts and liabilities of the receiving agency.

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 receiving agency 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 Economic Security.

The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes, Section 16B.37, subd. 3 (2002). The unexpended balance of any appropriation related to the programs, powers, functions or duties that are transferred herein are reappropriated to the receiving agency under the same conditions as the original appropriation.

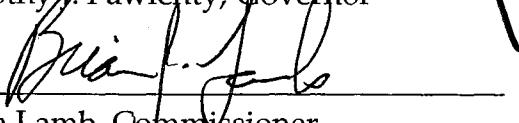
Pursuant to Minnesota Statutes, Section 16B.37, subd. 2 (2002), copies of this Order were submitted to the chairs of the Governmental Operations committees in the House of Representatives and the Senate at least 30 days before the Order was filed with the Secretary of the State.

In accordance with Minnesota Statutes, Section 16B.37, subd. 2 (2002), 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

5/30/03

Date

5/30/03

Date

FILED ACCORDING TO LAW:



Mary Kiffmeyer, Secretary of State

7/1/03

Date

