

**STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 191**

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 and services related to disaster and terrorism preparedness, and emergency management and response are being consolidated into one division within the Department of Public Safety. To achieve these purposes, the functions, powers, programs, responsibilities and duties relating to homeland security and emergency management are consolidated into a newly created Division of Homeland Security and Emergency Management. The Division of Homeland Security and Emergency Management shall be within the Department of Public Safety.

The position of State Director of Emergency Management, established in Minnesota Statutes 2002, Section 12.11, is renamed the State Director of Homeland Security and Emergency Management. The State Director of Homeland Security and Emergency Management shall have all of the functions, authority, powers, duties and responsibilities of the State Director of Emergency Management and the Director of the Office of Homeland Security, plus any additional duties and responsibilities assigned by the Commissioner of Public Safety or the Governor. As used in this order, the term "responsibilities" includes all powers, duties, rights, obligations and authority imposed by law.

All of the functions, powers, responsibilities and duties of the Emergency Response Commission, established under Minnesota Statutes 2002, Section 299K.01, are transferred to the State Director of Homeland Security and Emergency Management.

Consistent with this transfer of responsibilities, all affected classified and unclassified employees, with all accrued benefits, are transferred to the Division of Homeland Security and Emergency Management. 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 2002, Section 43A.18, or the terms of an agreement between an exclusive representative of public employees and the state or one of its appointing authorities.

The transferring agency will give the State Director of Homeland Security and Emergency Management all contracts, books, maps, plans, papers, records, supplies and equipment relating to the transferred responsibilities.

Rulemaking authority of the Emergency Response Commission is transferred to the Department of Public Safety. All rules adopted by the transferring agency 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 Public Safety.

The Division of Homeland Security and Emergency Management is the legal successor in all respects to the Emergency Response Commission and the Division of Emergency Management in regard to the transferred responsibilities. The bonds, resolutions, contracts and liabilities of the transferring agency become the bonds, resolutions, contracts and liabilities of the Division of Homeland Security and Emergency Management.

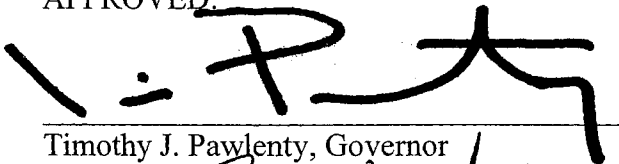
Any proceeding, court action, prosecution, or other business or matter pending on the effective date of the transfer may be conducted and completed by the Division of Homeland Security and Emergency Management in the same manner under the same terms and conditions and with the same effect, as though it involved or were commenced and conducted or completed prior to the transfer.

The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes 2002, Section 16B.37, Subdivision 3. The unexpended balance of any appropriation to the transferring agency for the transferred responsibilities are hereby reappropriated to the Division of Homeland Security and Emergency Management under the same conditions as the original appropriation to the transferring agency.

Pursuant to Minnesota Statutes 2002, Section 16B. 37, Subdivision 2, 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 State.

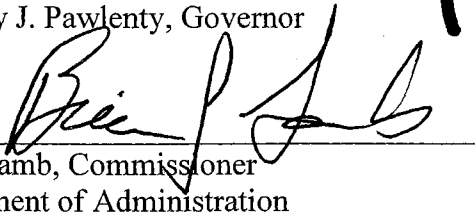
In accordance with Minnesota Statutes 2002, Section 16B.37, Subdivision 2, this order is effective upon filing with the Secretary of State and shall remain in effect until amended, repealed or superseded.

APPROVED:



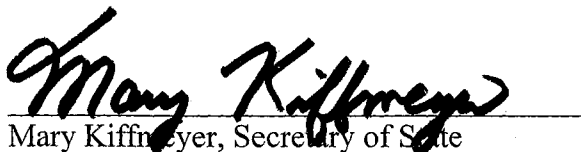
Timothy J. Pawlenty, Governor

2/12/04
Date


Brian Lamb, Commissioner
Department of Administration

2/19/04
Date

FILED ACCORDING TO LAW:


Mary Kiffmeyer, Secretary of State

3/22/04
Date

