

STATE OF MINNESOTA  
DEPARTMENT OF ADMINISTRATION  
REORGANIZATION ORDER NO. 192

Pursuant to Minnesota Statutes 2004, 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, the functions, powers, duties and responsibilities of the Department of Administration pertaining to municipal boundary adjustments, which were previously transferred to that Department from the Office of Strategic and Long Range Planning pursuant to Reorganization Order No. 188, dated March 13, 2003, are transferred to the Office of Administrative Hearings. In order to achieve these purposes, the functions, powers, duties and responsibilities assigned by Minnesota Statutes to the Director of the Office of Strategic and Long Range Planning, shall be assumed by the Chief Administrative Law Judge, including but not limited to the following: Minnesota Statutes 2004 Chapter 414; and Minnesota Statutes 2004, Sections 40A.121; 272.67, subd. 1; 276A.09; 365.46, subd. 2; 379.05; 412.021 subd. 1; 412.091; 462.3535; 473F.13; 473H.14; 572A.01, subd. 2; 572A.015, subd. 2; 572A.02, subd. 6.

The purpose of transferring those functions, powers, duties and responsibilities to the Office of Administrative Hearings is to consolidate within the Office of Administrative Hearings the administrative, alternative dispute resolution and hearing functions relating to municipal boundary adjustments.

Consistent with this transfer of power and duties, all affected personnel, with all accrued benefits, are transferred to the Office of Administrative Hearings.

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 (2004), 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 Administration will give the Office of Administrative Hearings all contracts, books, maps plans, papers, records, supplies and equipment relating to the transferred activities.

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pertaining to these transferred functions, powers, and duties remain in effect and shall be enforced until amended or repealed in accordance with law by the Office of Administrative Hearings.

The Office of Administrative Hearings is the legal successor in all respects of the Department of Administration and the Office of Strategic and Long Range Planning in regard to

the transferred duties. The bonds, resolutions, contracts and liabilities of the Office of Strategic and Long Range Planning and the Department of Administration become the bonds, resolutions, contracts and liabilities of the Office of Administrative Hearings.

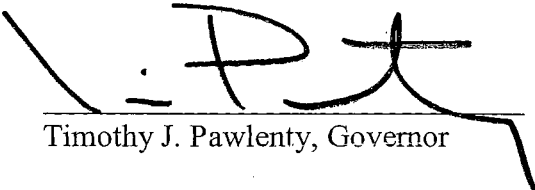
Any proceeding, court action, prosecution, or other business or matter pending on the effective date of the transfer may be conducted and completed by the Office of Administrative Hearings in the same manner, under the same terms and conditions and with the same effect, as though it involved or were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

The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes 2004, Section 16B.37, Subdivision 3. The unexpended balance of any appropriation to the Office of Strategic and Long Range Planning or to the Department of Administration for the purposes of any powers, functions or duties that are transferred herein are reappropriated to the Office of Administrative Hearings under the same conditions as the original appropriation to the transferring agency.

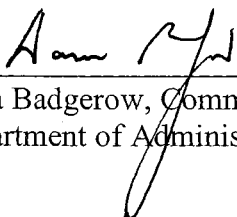
Pursuant to Minnesota Statutes 2004, Section 16B.37, Subdivision 2, copies of this Order as proposed were submitted to the chairs of the Governmental Operations committees in the House of Representatives and the Senate at least 30 days before the Order was filed with the Secretary of State.

In accordance with Minnesota Statutes 2004, 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

Date: 2/2/05

  
\_\_\_\_\_  
Dana Badgerow, Commissioner  
Department of Administration

Date: 2/2/05

FILED ACCORDING TO LAW:

  
\_\_\_\_\_  
Mary Kiffmeyer, Secretary of State

Date: March 8, 2005