

DEPARTMENT OF FINANCE 16A.01

16.853 Building code standards committee*[For text of subd. 1, see M.S.1971]*

Subd. 2. Composition. The committee shall consist of nine members who are residents of the state. The state building inspector shall serve as secretary of the committee but shall not be a member thereof. The nine members shall be initially appointed for the following terms: three members for two year terms, three members for three year terms and three members for four year terms. Thereafter, each member shall be appointed to serve a four year term and until his successor is appointed and qualifies. The membership shall be broadly representative of the industries and professions involved in the development and construction of buildings including representation from building code enforcement agencies, architectural and engineering associations, building construction trades, the contracting and manufacturing industries, governing bodies of local government and the general public. Appointments to the committee made on and after July 1, 1973 shall be made in such manner as to insure that by July 1, 1977 and thereafter, the membership shall consist of at least one member residing in each congressional district.

*[1973 c 46 s 1]**[For text of subd. 3, see M.S.1971]***16.871 State ceremonial building; statement of purpose and legislative intent**

Whereas it is in the public interest that a proper building be provided for official public use and other ceremonial state functions, it is the intent of the legislature that the state own such a ceremonial building, and that living quarters may be incidentally provided in such building for the governor.

*[1973 c 35 s 6]***CHAPTER 16A. DEPARTMENT OF FINANCE [NEW]**

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16A.01 Creation; commissioner; deputies; employees

Subdivision 1. The department of finance is hereby created under the control and supervision of the commissioner of finance, which office is hereby established. The commissioner is the chief accounting officer, the principal financial officer and the state controller.

Subd. 2. The commissioner of finance is appointed by the governor by and with the advice and consent of the senate. The commissioner so appointed shall have broad experience as an executive financial manager. The commissioner shall serve at the pleasure of the governor. A vacancy in the office of the commissioner shall be filled by the governor, with the advice and consent of the senate.

Subd. 3. The commissioner may appoint two deputy commissioners, and a confidential secretary, each of whom shall serve at the pleasure of the commissioner in the unclassified service. Except as may be otherwise provided for by law, the commissioner shall fix the compensation of each deputy. A deputy may perform and exercise a power, duty, or responsibility imposed by law on the commissioner when authorized so to do by the commissioner.

Subd. 4. Subject to the provisions of Laws 1973, Chapter 492 and to other applicable laws governing a state department or agency, the commissioner shall organize the department and employ such other officers, employees, and agents as he may deem necessary to discharge the functions of his depart-

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ment, define the duties of such officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities subject to his control and under such conditions as he may prescribe. Personnel employed pursuant to this subdivision are in the classified service of the state civil service.

[1973 c 492 s 1]

16A.02 Transfer of duties from state auditor

Subdivision 1. Except as otherwise provided for in this section, all the powers, duties, and responsibilities now vested in and imposed upon the state auditor are hereby transferred to, vested in, and imposed upon the department of finance.

Subd. 2. The state auditor shall continue to exercise the powers, duties, and responsibilities which heretofore have been or which may hereafter be by law vested in, and imposed upon him relating to certifying the state tax to the several county auditors, certifying the tax necessary to be levied in connection with the repayment of moneys borrowed by the state or its department and agencies or moneys loaned by the state as authorized by law; he shall also continue to exercise such powers, duties and responsibilities prescribed by the constitution and as a member of a governmental council, board or association.

[1973 c 492 s 2]

16A.04 Transfer of powers from department of administration

Subdivision 1. The department of finance shall prepare a biennial budget and a ten year cash receipts and disbursement projection in consultation with the commissioner of administration under the supervision of the governor. In even numbered years immediately before the inauguration of a new governor, such budget and a ten year cash receipts and disbursement projection shall be prepared under the supervision of the governor-elect.

Subd. 2. All the powers, duties, and responsibilities now vested in and imposed upon the commissioner of administration by sections 3.30, relating to the contingent fund; 16.027, relating to payrolls; 16.138, relating to reimbursements; 16.14, 16.15, and 16.155 relating to budgets and the budget, are transferred to, vested in and imposed upon the department of finance.

Subd. 3. All the powers, duties, and responsibilities now vested in and imposed upon the commissioner of administration by sections 16.20, 16.245, 16.25, 16.62, 16.63, 16.64 and any other law relating to the supervision and control of accounts and expenditures of the state government, its departments and agencies including but not limited to fees, payroll deductions, tax withholding, and compensation schedules, are hereby transferred to, vested in, and imposed upon the department of finance.

Subd. 4. The department of finance may make rules and regulations governing the powers, duties, and responsibilities transferred to it under the terms of Laws 1973, Chapter 492.

[1973 c 492 s 4]

16A.05 Transfer of certain appropriations

The moneys heretofore appropriated to the commissioner of administration in the payroll clearance revolving fund in the state treasury is hereby reappropriated to the department of finance for the same purposes and uses as set forth in section 16.80, subdivision 1, clause (g). Any accumulation in said fund from profits or otherwise is also reappropriated to the department of finance for such purposes.

[1973 c 492 s 5]

16A.06 Other powers

The commissioner of finance:

(1) Shall require each department in the executive branch to prepare financial reports in such form, and to be made at such intervals, as he may pre-

scribe which will permit administrative and legislative comparisons of spending plans in relation to appropriations for programs and activities;

(2) Shall formulate and prescribe a system of measuring the effect of fund expenditures which will permit the evaluation and comparisons of the cost of functions or programs;

(3) Shall require each department to state in writing objectives of each activity or function authorized against which performance may be measured. The objectives shall be specific as to amount and time and for a period including the current and the following biennium and reported at such times and in such form as the commissioner shall direct;

(4) Shall require the department of taxation and other departments in the executive branch to report at his designated intervals concerning estimates of income and receipts whether from taxes or otherwise, and use such information in evaluating the financial condition and affairs of the state;

(5) Shall make such reports concerning the financial affairs of the state as the governor or the commissioner of administration may direct in addition to such reporting as may be otherwise prescribed by law;

(6) Shall require such reports and other information of the state treasurer and other departments and agencies in the executive branch as will permit formulation of policy on all fiscal and financial matters of state government.

[1973 c 492 s 6]

16A.07 Effect of transfer of functions

Subdivision 1. With reference to the powers, duties, and responsibilities which by Laws 1973, Chapter 492 have been transferred to the department of finance, the department of finance is deemed to be the successor of the state auditor, and the commissioner of administration and the matters within the jurisdiction of such former offices shall not be deemed to be a new authority.

Subd. 2. Any proceeding, court action, prosecution, or other business or matter undertaken or commenced prior to the passage of Laws 1973, Chapter 492 with reference to powers, duties, and responsibilities of the state auditor, or the commissioner of administration which by Laws 1973, Chapter 492 are transferred to the commissioner of finance are hereby assigned to the department of finance, and such pending matters may be continued and completed by the department of finance in the same manner and under the same terms and conditions and with the same effect as if such matters were undertaken, commenced and completed prior to the time of such transfer.

Subd. 3. With reference to the powers, duties, and responsibilities transferred by Laws 1973, Chapter 492 from the state auditor, and the department of administration to the department of finance, the state auditor, the state treasurer and the commissioner of administration shall transfer and deliver to the department of finance all contracts, books, maps, papers, notes, bonds, cash, securities, money, records, and other property of every description within their jurisdiction or control relating thereto. The commissioner of finance is directed to take possession of such matters which have been transferred to his department. The commissioner of finance may require the public examiner to make such audits as he may deem necessary in addition to those required by law in connection with this section.

Subd. 4. Whenever in any other general law, heretofore or hereafter adopted, or any document, record, or proceeding authorized by the same, any word or phrase is used in reference to or descriptive of any power, duty, or responsibility which by Laws 1973, Chapter 492 is transferred from the state auditor, or the commissioner of administration to the department of finance, such word, phrase, or reference shall hereafter, unless the context or provision of Laws 1973, Chapter 492 otherwise requires, be deemed to refer to, include, or describe the department of finance.

Subd. 5. All unexpended funds appropriated to the state auditor, or the commissioner of administration for the purposes of any of the powers, duties,

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and responsibilities which by Laws 1973, Chapter 492, are transferred to the department of finance are hereby transferred and reappropriated to such department. Where unexpended funds appropriated to the state auditor or the department of administration include funds for powers, duties, and responsibilities which are not transferred, the governor shall allocate the appropriation between the state auditor, and the department of finance and the commissioner of administration and the department of finance, and the money so allocated is hereby reappropriated to the department of finance.

Subd. 6. Except as otherwise provided in Laws 1973, Chapter 492, all persons in the classified service of the state and employed by the state auditor or the department of administration for the purposes of any of the powers, duties or responsibilities which are transferred by Laws 1973, Chapter 492 to the department of finance are hereby transferred to the department of finance.

Subd. 7. The state auditor is the successor of the public examiner as to such powers, duties, and responsibilities as have been transferred to him from the public examiner and not a new authority. The legislative auditor is the public examiner as to such powers, duties, and responsibilities which the public examiner will continue to perform but as the legislative auditor.

Subd. 8. All persons in the classified service of the state and employed by the public examiner in performing the duties transferred to the state auditor are transferred to the state auditor without loss of any right or privilege. All persons in the classified service of the state and employed by the public examiner in performing duties which will be performed by the public examiner as legislative auditor will continue in the classified service without loss of right or privilege.

Subd. 9. All unexpended funds appropriated to the public examiner shall be allocated by the governor between the state auditor and the legislative auditor to carry out the divisions of authority prescribed by Laws 1973, Chapter 492 governing such officers and such reallocated funds are appropriated accordingly.

[1973 c 492 s 13]

16A.08 Office facilities

The commissioner of administration if necessary shall rearrange the offices and space allotted therefor to the state auditor, the state treasurer and the commissioner of administration in order to provide the department of finance with adequate and proper offices, and to that end may move the office facilities.

[1973 c 492 s 16]