

402.04 STATE MAY DELEGATE TO LOCAL BOARD IF STANDARDS KEPT.

Subdivision 1. **Delegation by state.** The commissioners of corrections, health, and human services may, without reference to the provisions of chapter 14, delegate any duty, authority, or responsibility vested in their respective departments relative to any program or service presently provided by the state, to any human services board which has in effect an approved plan for the affected program or service. The authority granted under this section shall include the authority to transfer to a human services board that portion of any unexpended appropriation which represents a saving to the department concerned by virtue of the assumption by the board of the duty, authority, or responsibility so delegated. No state employee shall be involuntarily terminated from employment by any action under this section.

Subd. 2. **If standards maintained.** The delegation of any duty, authority, or responsibility, and transfer of funds therewith, shall be subject to the maintenance by the human services board of applicable standards prescribed by the respective department, pursuant to the provisions of subdivision 1. Upon failure to maintain the prescribed standards, any delegated function and unexpended funds shall revert to the department concerned according to procedures established by it.

Subd. 3. **Report to money committees.** The exercise of any transfer of function or funds pursuant to subdivisions 1 and 2 shall be immediately reported to the committees on appropriations of the house of representatives and finance of the senate.

History: 1973 c 716 s 4; 1976 c 149 s 62 subd 7; 1977 c 305 s 45; 1977 c 411 s 4,9; 1979 c 118 s 4; 1982 c 424 s 130; 1984 c 654 art 5 s 58