EXECUTIVE ORDER 92-11
DESIGNATING THE MINNESOTA DEPARTMENT OF EDUCATION AS THE LEAD AGENCY IN DEVELOPING COMPREHENSIVE INTERAGENCY EARLY INTERVENTION SERVICES FOR YOUNG CHILDREN WITH DISABILITIES AND THEIR FAMILIES IN ACCORDANCE WITH PL 99-457

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, the federal government has passed Public Law 99-457 to assist states in planning and developing statewide systems of early intervention services for all children with disabilities from birth through age two and their families; and

WHEREAS, Public Law 99-457 requires the appointment of a lead agency for the purpose of general administration of the program and coordination of the activities of the other state agencies;

NOW, THEREFORE, I hereby order that:

The Minnesota Department of Education, with the collaboration and support of the Departments of Human Services and Health, be designated to serve as the lead agency in the development and implementation of a comprehensive interagency service delivery system
for children birth through age two with disabilities and their families in accordance with the requirements of Part H, Public Law 99-457.

Pursuant to Minnesota Statutes 1990, Section 4.035, subd. 2, this Order shall be effective fifteen (15) days after publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with Minnesota Statutes 1990, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twenty-fourth day of July, 1992.

[Signature]

ARNE H. CARLSON
Governor

Filed According to Law:

[Signature]

JOAN ANDERSON GROWE
Secretary of State
4.01 CUSTODIAN OF STATE PROPERTY.

In addition to the powers and duties prescribed by the constitution, the governor shall be the custodian of all property of the state not especially devoted to use in executive offices and may take possession thereof without legal process and adopt such measures for its safeguarding as the governor deems proper.

History: 158, s. 26, 1986 c. 444

4.02 [Repealed, 1986 c. 503 s. 11]

4.03 PROCLAMATIONS.

When the governor convenes the legislature in extraordinary session it shall be done by proclamation, given to the officers and members in the presence of the governor in his office necessary for the time of meeting, and when convoked by the governor shall inform them of the purposes for which they are convened. The governor shall act upon and proclaim one day in each year as a day of thanksgiving to Almighty God for blessings to the people and the state shall be transmitted on that day at any of the departments of state. All proclamations of the governor required or authorized by law shall be filed with the secretary of state.

History: 158, s. 26, 1986 c. 444

4.04 ENCLOSED BILLS.

When the governor signs an enclosed bill to finally enact it into law as provided by the constitution, the governor shall sign the enclosed bill the date and time of day of signing.

The governor shall then file the bill with the secretary of state.

When the governor receives a bill, the governor shall file a notice with the secretary of state indicating the chapter number of the enclosed bill.

When the governor neither signs nor vetoes a bill and legislative adjournment does not prevent its return, then the governor shall file the bill with the secretary of state with a notice that the governor is allowing the bill to become law without the governor's signature. If legislative adjournment does prevent its return, then the governor shall file a notice with the secretary of state indicating that the bill has been pocket vetoed. The notice must identify the returned bill by chapter number. The bill shall be retained in the records of the governor's office.

History: 1984 c. 478 s. 4

4.05 EXECUTIVE ORDERS.

Subdivision 1. Applicability. A written statement or order issued by the governor pursuant to constitutional, statutory authority and declared an executive order, or an executive order, or as otherwise designated by the governor, shall be termed an executive order, shall be performed in form, shall be numbered consecutively, and shall be effective and expire as provided in this section. Executive orders creating agencies shall be consistent with the provisions of this section and section 10.0593.

Subdivision 2. Effect. An executive order issued pursuant to sections 12.34 and 12.35, or any other emergency executive order issued to protect a person from imminent threat to health and safety shall be effective immediately and shall be filed with the secretary of state and published in the state register at the earliest possible time thereafter. Emergency executive orders shall be designated as such in the order. Any other executive order shall be effective upon 15 days after publication in the state register and filed with the secretary of state.

The governor shall sign a copy of the executive order as the commission of administration to facilitate publication in the State Register.

Subdivision 3. Enforcement. Unless an earlier date is specified by statute or by executive order, an executive order shall expire 90 days after the date that the governor issued the order, unless otherwise authorized.

History: 1984 c. 475 s. 2; 1986 c. 444

4.06 POWERS.

Subdivision 1. Appointments. The governor shall appoint and when necessary executive officers and employ in the state service such other persons as are not otherwise provided for by law, and at their pleasure, may remove any such appointive whose term of service is not by law provided. The governor shall exercise such powers of appointment, suspension, and removal in respect of other officials as are conferred by law. Whenever the duties of the state is lost or vacant, the governor shall cause the same to be filled.

Subdivision 2. Delegation to lieutenant governor. The governor may delegate to the lieutenant governor such powers, duties, and responsibilities and functions as are prescribed by law to be performed by the governor, subject to the governor's control, by filing a written order specifying the delegation with the secretary of state provided, however, that no power, duty, responsibility or function imposed upon the governor by the constitution shall be delegated by such written order or otherwise.

History: 158, s. 25, 1981 c. 469 s. 1; 1986 c. 444

4.07 CHILDREN'S CABINET.

The children's cabinet shall consist of the commissioners of children's services, children's agencies, and other agencies, human services, economic security, public safety, corrections, finance, health, administration, housing, finance agency, transportation, and the director of the office of strategic and long range planning. The governor shall designate one member to serve as cabinet chair. The chair is responsible for ensuring that the duties of the children's cabinet are performed.

History: 1984 c. 324 s. 4; 1984 c. 473 s. 1; 1985 c. 3 s. 16 s. 13

4.08 VACANCY; SUSPENSION; DISABILITY.

Subdivision 1. Vacancy. When a vacancy occurs, it shall be filled by the governor, and the lieutenant governor shall become governor and the last duly elected president of the senate shall become lieutenant governor of the state for the remainder of the term. If there be no president of the senate, then the presiding officer of the house of representatives shall become governor for the remainder of the term. If there be no presiding officer, then the secretary of state, in the order, or the attorney general, in the order, shall appoint from the office of governor, or in the case of death or other failure to take office, the last duly elected speaker of the house of representatives, or in the case of death or other failure to take office, the secretary of state, or other person as provided by law to the governor for the remainder of the term.

Subdivision 2. Suspension. In case of a failure to fill the call of any governor for the remainder of the term, the lieutenant governor shall become governor from the same time and place as does the governor and shall do the same thing prescribed for the governor. In this case the death or other failure to take office, the last duly elected president of the senate, or in the case of death or other failure to take office, the last duly elected speaker of the house of representatives, or in the case of death or other failure to take office, the secretary of state, or other person as provided by law to fill the call of the governor for the remainder of the term.