

STATE OF MINNESOTA
DEPARTMENT OF ADMINISTRATION
REORGANIZATION ORDER NO. 152

Pursuant to Minnesota Statutes 1986, 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 following powers and duties of the Charitable Gambling Control Board are transferred to the Department of Revenue:

1. To collect and deposit license fees and taxes due under chapter 349 (Section 349.151, subd. 4 (2)).
2. To receive reports required by chapter 349 and inspect the records, books, and other documents of organizations and suppliers to insure compliance with all applicable laws and rules (Sections 349.151, subd. 4 (3) and 349.19).
3. To register gambling equipment and issue registration stamps (Sections 349.151, subd. 4 (5) and 349.162).
4. To register manufacturers and collect registration fees (Section 349.163).
5. To employ an executive secretary and other employees to carry out the functions of the Charitable Gambling Control Board (Section 349.151, subd. 5).
6. To regulate the number of bingo occasions, waive certain restrictions regarding leased premises, and provide forms for bingo checkers (Section 349.17).
7. To request copies of leases from licensed organizations and grant certain exemptions regarding premises used for lawful gambling (Section 349.18).
8. To receive notices of cancellations of gambling managers' fidelity bonds (Section 349.20).
9. To receive reports on local gambling taxes from cities and counties and prescribe the form of the reports (Section 349.212, subd. 5).
10. To administer certain exemptions from bingo licensing and lawful gambling regulations (Section 349.214).

11. To make recommendations to the Charitable Gambling Control Board on the issuance, revocation, and suspension of licenses, on rule-making, on civil penalties, and on enforcement actions.
12. To take any enforcement action with respect to the collection of taxes or fees incident to the powers and duties transferred to the department.

The Charitable Gambling Control Board shall retain the following powers and duties:

1. To issue, revoke, and suspend licenses to organizations and distributors under sections 349.16 and 349.161.
2. To revoke and suspend manufacturers' certificates of registration under section 349.163.
3. To make rules, including emergency rules, required by chapter 349.
4. To provide by rule for the mandatory posting by organizations conducting lawful gambling of rules of play and the odds and/or house percentage on each form of lawful gambling.
5. To report annually to the Governor and Legislature on its activities and on recommended changes in the laws governing charitable gambling.
6. To impose civil penalties of not more than \$500 per violation on organizations, distributors, and manufacturers for failure to comply with any provisions of sections 349.12 to 349.23 or any rule of the board.
7. To issue and cause to be served cease and desist orders, bring actions in district courts, and exercise other powers specified in section 349.151, subd. 4a.
8. To issue, revoke, and suspend bingo hall licenses under section 349.164.
9. To notify city councils, county boards, and town boards before issuing or renewing licenses to organizations as specified under section 349.213.

Consistent with this transfer of powers and duties, the following positions and their incumbents, with all accrued benefits, are transferred from the Charitable Gambling Control Board to the Department of Revenue:

<u>Position Number</u>	<u>Incumbent</u>	<u>Classification</u>
192600	Marilee J. Appleby	Office Services Supervisor 3
193550	Martha J. Bogen	Data Entry Operator
192300	Bernice A. Caruth	Executive 1
192090	Roger W. Franke	Executive Secretary
220750	Cynthia K. Lemay	Clerk Typist 3
192040	Katherine Macioch	Clerk Typist 2
192310	Linda A. Moser	Clerk Typist 3
192390	Wayne L. Sather	Auditor Senior Supervisor
194700	Gale S. Schmid	Auditor Intermediate
222010	Gerald Sieve	Auditor Senior
219500	Randy L. Stenberg	Auditor Intermediate
192360	Roger W. Swanson	Auditor Principal Supervisor
192370	Robyn Tucker	Auditor Intermediate
192380	Warren N. Walberg	Auditor Intermediate
192400	Vacant	Auditor Intermediate
231640	Geraldine Christen	Clerk Typist 2
231650	Vacant	Clerk Typist 3
231660	Vacant	Clerk Typist 2
231670	Vacant	Clerk Typist 2
231980	Vacant	Revenue Special Investigator 1
232990	Jeff Higgins	Accounting Officer

Nothing in this executive 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 1986, 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 approved complement of the Department of Revenue as provided by Laws 1987, Chapter 404, Section 20 and Laws 1988, Chapter 686, Article 1, Section 10, is increased by 21 positions; the approved complement of the Charitable Gambling Control Board as provided by Laws 1987, Chapter 358, Section 15 and Laws 1988, Chapter 684, Article 1, Section 7, is decreased by 21 positions.

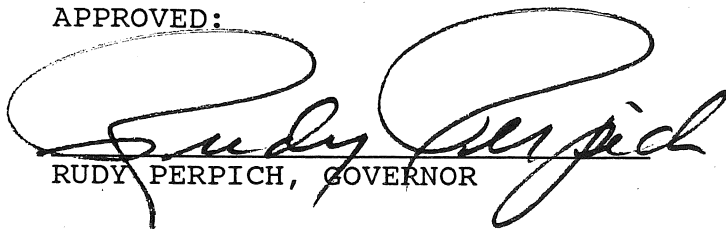
The Charitable Gambling Control Board shall give to the Department of Revenue all contracts, books, maps, plans, papers, records, supplies, and equipment.

Any proceeding, court action, prosecution, or other business or matter related to the collection of taxes or fees pending on the effective date of the transfer may be conducted and completed by the Department of Revenue 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 by the Charitable Gambling Control Board.

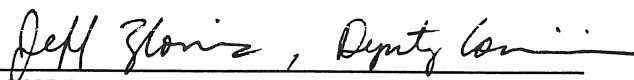
The Commissioner of Finance shall make the necessary financial determinations in accordance with Minnesota Statutes 1986, Section 16B.37, Subdivision 3.

The effective date of this order is August 19, 1988. The order is herewith filed with the Secretary of State and shall remain in effect until amended or repealed.

APPROVED:



RUDY PERPICH, GOVERNOR

8-19-88
Date

for 
SANDRA J. HALE, COMMISSIONER
DEPARTMENT OF ADMINISTRATION

8-19-88
Date

FILED ACCORDING TO LAW:


JOAN ANDERSON GROWE
SECRETARY OF STATE

8-19-88
Date