

EXECUTIVE ORDER NO. 85-10

**PROVIDING FOR THE ESTABLISHMENT OF A
SPECIAL COMMISSION TO PERFORM RESPONSIBILITIES
PURSUANT TO MINNESOTA STATUTES 351.03 AND 351.04 (1984)**

I, RUDY PERPICH, 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 Governor may remove from office a County Attorney when it appears to him by competent evidence that the County Attorney has been guilty of malfeasance or nonfeasance in the performance of his or her official duties;

WHEREAS, when charges are made against a County Attorney, the Governor shall appoint a special commissioner to conduct a hearing and take testimony for and against the County Attorney, and provide the County Attorney an opportunity to be heard in his or her defense;

WHEREAS, a petition has been received setting forth charges of malfeasance or nonfeasance against Kathleen Morris, Scott County Attorney;

NOW, THEREFORE, I order:

1. The Honorable Lynn C. Olson, Judge of District Court, Tenth Judicial District, is hereby appointed as a Special Commissioner pursuant to Minnesota Statutes 351.04 (1984) to take and report all pertinent evidence at a hearing to determine whether there is a basis to remove Kathleen Morris as Scott County Attorney.

2. Judge Olson will be assisted at the hearing and in making recommendations concerning the petition for removal by Julius Gernes of Winona, the Winona County Attorney, and Irene Scott of Bloomington, an attorney in practice in Minneapolis.

3. The Commissioner and her colleagues are to determine and implement procedures appropriate to this matter and consistent with law. The Commissioner is empowered to issue subpoenas to compel testimony and the presentation of other evidence concerning this matter.

4. The Scott County Attorney shall be entitled to be represented at the hearing by an attorney of her own choice.

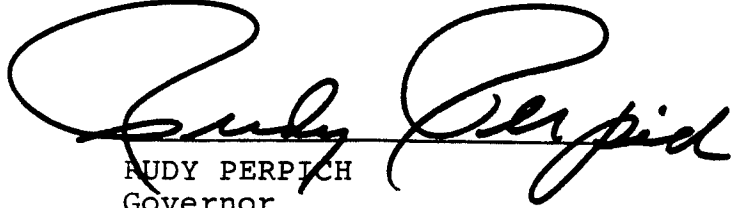
5. The Attorney General shall appoint counsel to organize and present evidence to the Commission.

6. The Commissioner created by this Order shall report to me its findings and recommendations.

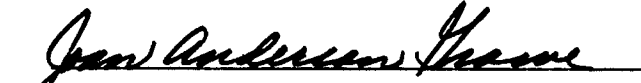
Pursuant to Minnesota Statutes, Section 4.035, this Order shall be effective fifteen (15) days after publication in the State Register and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it

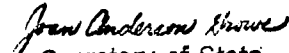
expires in accordance with Minnesota Statutes, Section 4.035,
Subdivision 3.

IN TESTIMONY WHEREOF I have set my hand this 25th day of
March, 1985.


RUDY PERPICH
Governor

Filed According to Law:


JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 26 1985

Secretary of State

