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## RESEARCH REPORT:

Reorganization of the Executive Branch of the Governor of the State of Minnesota

#### PREPARED BY:

Brian T. Wruck

## PRESENTED TO:

The Honorable Representative William E. Frenzel and The Committee on Government Reorganization of the Pillsbury for Governor Volunteer Committee on June 2, 1966

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#### INTRODUCTORY

"Total government reorganization is desperately needed. We need to streamline our government operations and make them more efficient. Tax money is being wasted through outdated procedures. State employees work very hard, but are handicapped with old methods and duplicating of effort. It's time for a change--it's time to move Minnesota out of the dreary days of the past into the future..." Thus our candidate, John Pillsbury, Jr., has said.

At the request of the Honorable William E. Frenzel, I began a study of the organization of the executive branch of the government of the State of Minnesota, which, as I have noted, Mr. Pillsbury feels urgently needs reorganization. When I began this study, I was not aware of the sad state the executive branch is in--one is tempted to say it is appalling!

In my initial visit with Representative Frenzel, he asked me to work out a reorganizational chart of the Executive, with the following guidelines:

- 1) No more than twenty major departments.
- 2) Elimination and/or consolidation of Departments, Bureaus, Boards, etc., where duplicating or unnecessary functions were being preformed.
- 3) Reorganize in a manner to strengthen the Civil Service Merit system and eliminate the opportunity for appointments for purely political reasons.
- 4) Reorganize to eliminate agencies operating in the name of the State, but stock-piling revenue in their own private treasuries.
- 5) Reorganize in such a manner to inherently encourage cooperation of the elcted and appointed officials of the Executive.
- 6) Include in the major departments a Department of Business Development.

I was given by Representative Frenzel material on Michigan's recent Executive reorganization, former Governor Freeman's 1955 proposal for Executive reorganization, and the current issue of the Minnesota Legislative Manual; plus a chart of the current organization of Minnesota State Government--which did not prove too helpful, due to its complex organization (maybe we could better say disorganization).

(I'd better say, parenthetically, here that as this research is of an initial tentative nature, I will attempt to maintain flexibility of alternatives; but in doing so it will be necessary, at times, to gloss over certain points. In-depth studies take time and often get sematically involved--both of which I must avoid! So, my apologies for any points that may seem sketchy to you. I shall make a special attempt to supply references on any points I feel may be sketchy.)

In Chart #1, (page]] ) you will find a comparison of the reorganization plans of Governor Freeman, the Little Hoover Commission, the State of Michigan, Wm. E. Frenzel, and B. T. Wruck, respectively. I will, shortly review the supporting reports from which the first three plans were gathered. Representative Frenzel's thoughts, I believe, were strongly influenced by the first and third plans. My own proposed plan was influenced by the first four,

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Introductory (Continued) - 2 -

Mr. John Pillsbury's thoughts and philosophies concerning reorganization and related matters, and various references which I consulted, most of which I will cite here. Differences between Mr. Frenzel's plan and mine will best be taken up at a later time.

Gevernor Freeman's Message: In Governor Freeman's report to the Legislature on government reorganization (Government Reorganization: A Special message by Governor Orville L. Freeman, February 25, 1955), he said in his introductory remarks:

"As government becomes more and more complex, the need of periodic readjustment of administrative machinery becomes increasingly more important. The mounting cost of government demands that we do everything possible to eliminate waste of confusion or extravagance. We must establish a national organizational structure based on functional groupings which will permit sound co-ordination, control, integration, and planning.

We must insist that everyone who serves the public is competent for his assigned tasks...

My proposal is designed with these objectives in mind. Its adoption, I am convinced, will bolster the two pillars of a strong democratic government----administrative responsibility, and political accountability." In his mescage Governor Freeman set forth five guiding principles for reorganization, which I would like to cite here, they were (pp 4-6):

- 1) There should be a small number of departments organized by function.
- 2) Line of administrative authority should be clear and definite.
- 3) The staff of "housekeeping" functions should be centralized and integrated and should be directly responsible to the Governor.
- 4) Boards and commissions should be retained only for functions that cannot be properly directed by a single executive.
- 5) The post-audit which checks on the financial regularity of the administration should be independent of the Governor.

Governor Freeman emphasized that : "...the plan makes no change in present functions. It simply regroups existing functions in a fashion that will provide greater clarity, better service to the public, better co-ordination and control of the executive branch, and more efficient operation at lower cost." (p.6)

The remainder of the <u>Message</u> presents the detailed recommendations of the plan by major departments. I will refer those interested to the report for a review of this section.

A diagram of Governor Freeman's proposal can be found as Chart #3, Fage 14.

#### The Report of the Little Hoover Commission:

The Efficiency in Government Commission (The Little Hoover Commission) was created by a Legislative act in 1949. In December of 1950 (in How to Achieve Greater Efficiency and Economy in Minnesota's Government) they reported their findings and recommendations (for reorganization) in a comprehensive 175 page report.

(Parenthetically, it might be well to note why I have/presented these two reviews in chronological sequence. My primary reasoning was that Governor Freeman's proposals of 1955 were much more concise, and came closer to becoming enacted than those of the Little Hoover Commission's. Thus, Governor Freeman's proposal is the more pertinent to our purposes here than were the more modern proposals, and so merited highlighting. Certainly Governor Freeman's proposals were both an outgrowth of and influenced by the Little Hoover Commission's Report, thus the latter warrants our attention here.)

The Little Hoover Commission's report is both detailed and comprehensive, and also somewhat dated now; and, thus, I will, in the main, just refer you to the 'Introduction', 'Summary of Major Recommendations', and Chapter II: Executive Management.' In the 'Introduction' the Commission notes that:

"In 1939 Minnesota received national recognition because it was the first State to establish the position of State business manager (Commissioner of Administration). (See the <u>State of Minnesota</u> <u>Reorganization Act of 1939</u>).

"/However it was noted that/ The changes failed to include many necessary fundamental improvements in the organization structure of the state. (p. 3)

"The Commission is certain...that the recommendations...can result in an out-right and immediate net savings to the taxpayers of not less than \$4,300,000 per year." --and that was in 1950! (p.5)

And yet these changes were not instituted after the Commission's Report, Governor Freeman's Message, nor, sadly, has the sorely needed major reorganization yet to be enacted--seventeen years after the processes to do so were started.

Among the Commission's 'Summary of Recommendations' were the following (which I found particularly useful in my proposed reorganization): -Establish a Department of Post-Auditor responsible to the

Legislature (note the difference between this and Governor Freeman's proposal).

-Shorten the ballot by reducing the number of elective offices in the Executive.

-Provide a four-year term of office for Governor and all Department heads to assure mere stability of administration and accountability to the Chief Executive.

-Place pre-audit and all general accounting in the Department of Admisistration.

-Transfer investigatory and control functions of Liqour Control Commissioner, arson investigation functions of the State Fire Marshal, and the functions of the Athletic Commission to the Department of Law.

-Transfer to the Department of Revenue all the major tax collection functions (same idea as my plan, but handled in Dept, of the Treasury). (pp. 6-15)

It is my feeling that the department of the 'Governor's Office' is not really a major department, just the specialized, immediate staff any Governor should have. The Live Stock Sanitary Board, it seems to me, could advantageously be incorporated into the Department of Agriculture. The Department of Labor Conciliation could efficiently be handled as an autonomous secondary department, between the Departments' of Labor and Commerce--thus was the decision of Rep. Frenzel and myself. Both Mr. Frenzel and I felt that the functions of the Commission's 'State Licensing Authority' could better be handled within the appropriate major departments--both for reasons of administrative control and, particularly, for budgetary and revenue regulation.

A diagram of the Commission's recommendations will be found in Chart #3, page 13.

## Michigan's Executive Organization Act of 1965:

In a Special Message of Executive Reorganization to the Legislature on April 13, 1965, Governor George Romney reminded the legislators that, as required by the Constitution of Michigan of 1963, the Legislature could enact executive branch reorganization until the end of 1955, after which time this would become the Governor's task. The Legislature did enact the reorganization, which closely followed the plan suggested by Governor Romrey in the above address (see Chart #1).

In the above mentioned address Governor Romney established the format for different types of mergers of agencies into principal departments, which I have incorporated into my reorganization plan (the definition of these types of mergers is more expediently explained later).

That confusion in the executive branch is no unique problem of Minnesota, we note from an excerpt from Governor Romney's address of April 3, 1966, he said: "The National Municipal League has said that an organization chart of Michigan state government exhibits all the wierd confusion of a 20-mule team harnessed in the dark by a one armed idiot. It is an apt description of a government of more than 120 executive agencies headed by officials, some of whom are elected, some appointed at pleasure, some appointed with advice and consent of the Senate, and some headed by commissions. Ours is a many-headed administrative team with no certain and clear knowledge of who the driver is to be." (Pg. 2)

The remainder of the material I had available on Michigan's recent reorganization dealt with Executive Directives from the Governor's Offices setting up the machinery and procedures necessary to definitation of the existing state of the executive branch and the projected needs for and in the new reorganization. These 'Directives' are, in my opinion, an example to be carefully studied and emulated by other states that are contemplating executive reorganization - these 'Directives' are representative of a dynamic 'government-in-action,' certainly a philosophy we should emulate.

#### REPRESENTATIVE WILLIAM FRENZEL'S PLAN COMPARED WITH B. T. WRUCK'S:

You will note that, from Chart #1, Representative Frenzel's plan does not contain either the departments of Business Research and Development, or Conservation; while my plan does not include a Department of Taxation. The first two above departments Representative Frenzel felt were essential, and I am sure he meant to include them. Ideally, I felt these two could be combined, but I am told this would be nearly impossible because of political reasons.

Representative Frenzel felt that all the taxation-revenue functions could be consolidated into one department, rather than two separate departments (ie., Treasurer and Auditor). I felt, however, that an autonomous department of post-audit was essential -- as past experience has proven.

Both Representative Frenzel and I felt that, ideally, the Department of Military and Veterans Affairs could largely or wholly be absorbed into the Department of Administration -- but, again, this would not be politically feasible.

#### GENERAL CONSIDERATIONS AND HISTORY:

From The Council of State Governments (Reorganizing State Government, 1950) we get some interesting statistics on executive reorganization. Based on a questionnaire sent out in 1950, of 23 replying states, only 6 (Colorado, Georgia, Illinois, Chio, Massachusetts, and Tennessee) had 20 or fewer major departments (Minnesota then reported 35) (Reorganizing State Government, On methods of removing appointive department heads, of 15 Page 26). replying states, those reporting removal for cause only (5 or more offices): 10 states (Minnesota - 26 offices), removal at pleasure of the governor (5 or more): 6 states (Minnesota reports only 1 such office). (Ibid, p.26). Although this report is somewhat dated, I think it is still indicative of the need for executive reorganization, and, at the same time, strengthening of the Civil Service Merit System.

Being of the opinion that a cabinet system is both feasible and desirable with 20 or fewer departments in the Executive, it might be well to note some of the prerequisites The Council of State Governments cites as necessary for effective cabinet meetings. They cite:

- 1.) Adequated departmental staffing.
- 2.) Careful preparation and direction of the meetings.
- 3.) A full-time cabinet secretary and coordinator.4.) A willingness to integrate specific programs with those of general interest.

## (Ibid, p. 34)

As the Department of Business Research and Development would be a new and important department in the State government, it would be well to develop a basic concept of such a department. Again referring to The Council of State Governments (Planning Services for State Government, 1956), they feel/ should have the function of:

a planning service

- 1.) Determining short and long-range objectives.
- 2.) Getting all relevant information and securing adequate understanding of problems.
- 3.) Decide on priority of and balanced programs, in a flexible schedule.
- 4.) Coordinate efforts for efficiency and economy.

#### (Planning Service, p. 7)

They recommend planning service should have, at least, responsibility of:

- 1.) Fact gathering.
- 2.) Capital budget (planning) (independent of the budget office).
- 3.) Developmental policy.
- 4.) Assistance to operating departments and agencies.

(Ibid, p. 50)

A final note on reference sources: the State Law Library seems to be the best source for material on governmental reorganization. However, most of the material there is of the 1945-1955 era (the matter on Michigan was obtained directly from the Office of the Governor, and does not appear to be in the Law Library yet). Two reports on governmental reorganization (that are in the Law Library) that I found particularly are those of California (1951) and New Hampshire (1950). Those interested in 'in-depth' studies might do well to consult either of these -- also available is a public opinion survey from California.

Our current information on executive reorganization is limited to that of Michigan. Inquiries have been sent out to the Office of the Governor of: New York, Chio, Colorado, and the State Central Committee of California (the Governor being a Democrat) for any recent proposals or enactments their States might have made. Hopefully this material will be available to you (through the central, Minneapolis Pillsbury office) before the State GOP Convention.

NOTES ON CHART #4

## (Page 15)

Chart #4 realizes the culmination and major purpose of this paper. Using as my basic guidelines,

- 1.) the advise and draft of the reorganization supplied me, by Representative William E. Frenzel
- 2.) the philosophies of Mr. Pillsbury,
- 3.) the various guidelines citied here that appeared in the reports of the Little Hoover Commission, Governor Freeman, and the State of Michigan,
- 4.) and The Council of State Governments considerations on reorganization, the cabinet system, and state planning services,

I began the task of charting a reorganized executive branch.

Rather than going through a tedious and time-consuming task of a bit-bybit justification of the rationale of the placement of a given agency, boards, etc., within a department, I will rather state my conception of the general philosophy of a department, and rely upon the 'Legend' (see Chart #4) (vis-a vis Michigan style mergers) and Blue Book working definitions of the agencies, boards, etc. for the detailed rationale.

Elective offices: following Mr. Pillsbury's philosophies, the ballot of elective officials would be: Governor and Lt. Governor (must be of same party), Auditor (no party designation), Attorney General (same party as Governor if elected, but may be appointed by the Governor), and department head of the Department of Education (either elected from within, as at present, or elected by the public).

Appointive Offices: All other offices (except the "Tax Court' and 'Labor Conciliator') would be appointed by, and serve at the pleasure of the Governor, in terms contiguous with that of the Governor's.

Examining Boards: All examining boards will be attached to the appropriate departments; they will be responsible to the department head on administrative and budgetary matters, but largely autonomous on policy matters. The boards should be appointed and serve in such a manner as to reduce appointments for political reasons.

Department of Law: should include present functions of Legal advisor to executive branch and chief state prosecutor. Logically within its jurisdiction then, should be the legal investigation functions of Liquor Control, the Athletic Commission and the Fire Marshall. It is felt that the Department of Criminal Apprehension belongs here, rather than elsewhere, as its function is largely based on legal codes, their interpretations and enforcement. Auditor: The office of State Auditor, in my conception, would be an elective office, autonomous of any control by the Governor (save the most basic administrative control), whose primary purpose would be to serve as a post-auditor, responsible and reporting to the Legislatare and the people.

Lt. Governor: In addition to the above specifications (ie 'Elective Offices'), the Lt. Governor would be ex-officio co-chairman of The Department of Business Research and Development. He could advantageously act as the Department's chief public relations officer, as Mr. Pillsbury has suggested.

Department of the Treasury: headed by an appointed Treasurer (as opposed to presently elective post), the Department would be responsible for: Research on tax-mill rates, policy and administrative decisions in establishing and collecting of taxes; for the collection of all States taxes and revenues and the 'keeper' of the same; and, finally, it would be the administrator of State bonds and other invested funds.

Tax Court: this agency would be transferred from the executive branch to the judicial branch, where it logically belongs; it would advise and consult with the Department of the Treasury, and consult with the Attorney General, but would be autonomous of either.

Secretary of State: headed by an appointed officer (former elected), the Department would retain its present functions as administrator of State elections, and its liscensing functions except for the Motor Vehicle and Chauffeurs Licensing Division, which would be transferred, en masse, to the Department of Highways, where they logically belong.

Department of Agriculture: would include all present department, agencies, etc., involved with administration and governing (policy and inspection) functions related to all phases of agriculture -- both crop and livestock interests.

Department of Business Development: basically a new department, whose conception would be enlarged and expanded beyond the scope of the present agencies working in this area. This Department would have the functions of: 1. over-all long range fiscal planning; 2. budget planning (independent of the Office of the Budget, Department of Administration; 3. research with present business conditions in the State, and subsequent recommendations for business development; and 4. Research and development into the coordination of metro expansion. The functional transfer of the committee on Higher Education to this Department is suggested with the logic that Research and Development of business and education should be coordinated. It is expected that this Department would, of necessity, work closely with the Department of Conservation.

Department of Welfare: would be a large and encompassing department including the present functions of public welfare, mental health, and institutions, and expanded to include corrections and related aspects (except apprehension), and civil rights. It is felt that the afore-mentioned areas are closely related enough, and represent areas that are not mutually exclusive of each other, to advantageously combine them in one department. Department of Public Health: largely unchanged, except for addition of sanitary control and inspection functions. Care should be taken to insure that there is no duplication in the sumitary inspection functions of this Department and the Department of Agriculture.

Department of Education: an autonomous department in the Governor's cabinet, but responsible to the Legislature. The Committee on Higher Education in this Department would retain its administrative and fiscal advisory functions, but lose its Research and Development policy functions to the Department of Business Research and Development.

Department of Labor: responsible for the general welfare of the workers, ie., rights, compensation, union organization, management control, administration functions of Railroad and Warehouse Commission.

Labor Conciliator: same function as at present (as described in 1966 Blue Book), but to be selected jointly by the heads of the Departments of Labor and Commerce; the Office of Labor Conciliator is to be responsible to both parent departments, but independent of the control of either singly.

Department of Commerce: the compliment of the Department of Labor, ie., responsible for the general welfare of business and management, and policy functions of the Railroad and Warehouse Commission (concerned more with the larger areas of industrial management, while the reverse is true for the Railroad and Warehouse Commission administrative functions).

Department of Conservation: ideally this Department should be a part of the Department of Business Research and Development, to be dynamic, action-oriented department that could further the successful growth of the State. If the Department is to be retained, its prime function should be that of administrative functions for existing conservation programs, working very closely with the Department of Business Research and Development in the development of any new programs.

Department of Administration: A "core" department, in that it would bear the "housekeeping" administrative duties for many of all of the other departments -- particularly in the area of personnel administration.

Department of Personnel: would be largely relieved of its "housekeeping" functions (via the Department of Administration) to free it for research into personnel functions and the establishment of policy on the same, ie., it would become "efficiency expert" of the State government.

Department of Military and Veterans Affairs: would bring the diverse agencies concerned with civil defense, veterans and military affairs under one roof, and, subsequently, facilitate consolidation of duplicating functions.

## CONCLUDING REMARKS

To my dismay, I think my rationale for the Departments' became more detailed than was my original intent. I hope that my guiding purpose has been evident, i.e., to create functional groups to: 1. increase executive administrative responsibility at all levels, and to reduce conflict between agencies, departments, etc. 2. to clarify goals. 3. to eliminate duplication.

It is to be hoped that through this reduction in number of major departments and introduction of a cabinet system (possibly both interand intra-departmental), that the present complex system of competing and duplicating agencies and departments can be greatly reduced. It is further hoped that the proposed system would eliminate the need for the labyrinth of committees which agency heads must now be responsible to besides their own agency.

Nothing has yet been said about the possible need for Constitutional Amendment to enact some of the proposed measures of this (suggested) reorganization. It seems quite evident to me that such Amendment could not be avoided, and that no efforts to do so should be made -- as they would only seem to defeat the purpose of a basic, thorough and efficient reorganization. However, I do think it wouldprobably be wise to try to avoid the drafting of an entirely new Constitution (as Michigan recently has done), as a pitched political battle might result in the process -a battle that might be supressed if the Constitution were only amended (the end result might be the same but the 'means' could prove all-important here).

Neither has anything been said of legislative or judicial reorganization. My assignment was to review executive organization, but it seems that the execution of any executive reorganization should be followed by, at least, a review of legislative organization, and possibly judicial organization -although the latter would seem a very demanding task, of necessity, due to the complex nature of our legal-judicial system.

Finally, in conclusion, I hope I have been neither too brief nor too wordy -- an impossible wish -- and that you will find my report of some use in your further study of governmental reorganization.

Let us proceed then, to elect John Pillsbury, Jr. Governor of Minnesota and thereby begin the process of governmental reorganization so badly needed.

Respectfully submitted,

Brian T. Wruck

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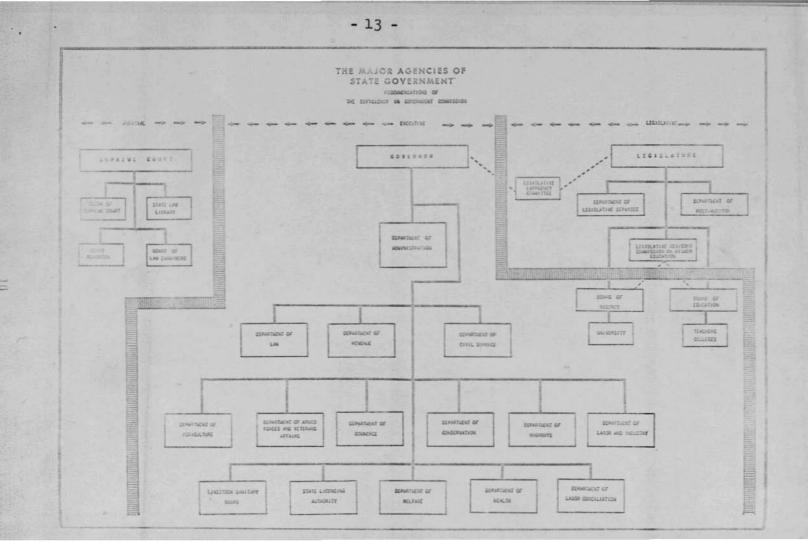
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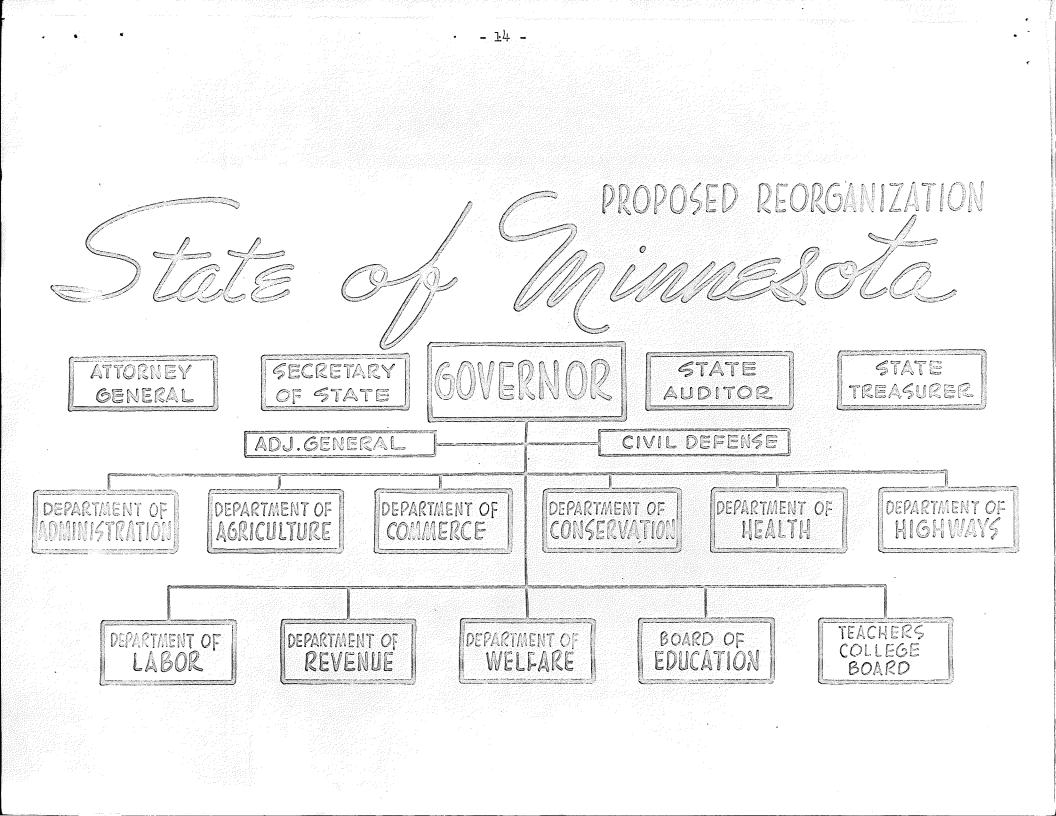
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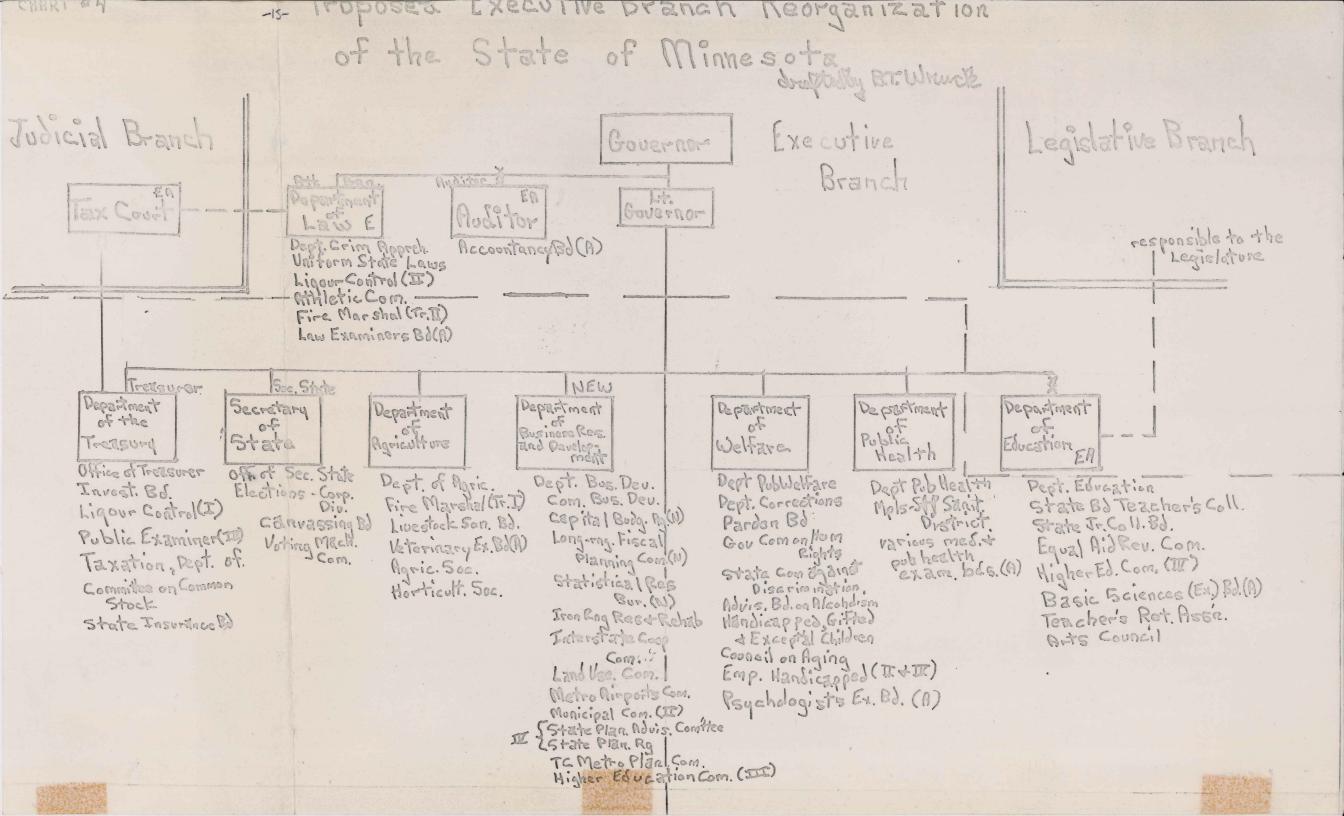
# REORGANIZATION PLANS

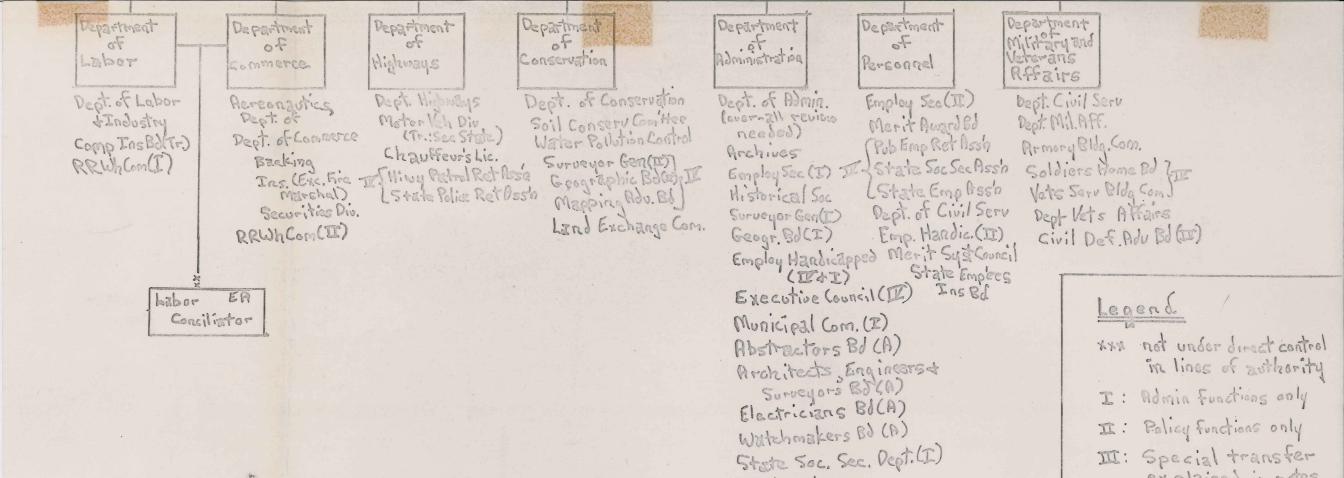
	Gov. Freeman	Little Hoover Commission	Michigan	Bill Frenzel	B. T. Wruck
1.	Agriculture	De	epartment of Agriculture	Agriculture	Agriculture
2.	Labor	Labor & Industry	Labor	Labor & Industry	Labor
3.	Commerce	Commerce	Commerce	Commerce	Commerce
4.	Revenue	Revenue	Treasury	Taxation	
5.	Welfare	Welfare	Social Service	Welfare & Corrections	Welfare
6.	Education	Education	Education	Education	Education
7.	Highways	Highways	State Highways	Highways	Highways
8.	Adj.Gen.& Civil Defense	Armed Forces & Veterans Affairs	Military Affairs	Civil defense,military affairs & veterans affairs	Military & Veterans Affairs
9.	Administration	Administration	Administration	Administration	Administration
.0.		Civil Service	Civil Service	Personnel	Personnel
1.	State Treas.			Treasurer (const.)	Treasurer
2.	Att. Gen.	Law	Att. Gen.	Law (const.)	Att. Gen.
-3•	Sec. State		State	State (state)	Sec. State
4.	Auditor			Auditor (const.)	Auditor
-5 <b>.</b>	Health	Health	Public Health	Health	Public Health
	2. 3. 4. 5. 6. 7. 8. 9. 0. 1. 2. 3. 4.	<ol> <li>Agriculture</li> <li>Labor</li> <li>Commerce</li> <li>Revenue</li> <li>Welfare</li> <li>Education</li> <li>Highways</li> <li>Adj.Gen.&amp; Civil Defense</li> <li>Administration</li> <li>State Treas.</li> <li>Att. Gen.</li> <li>Sec. State</li> <li>Auditor</li> </ol>	Gov. Freeman       Commission       De         1. Agriculture       Agriculture       Agriculture       De         2. Labor       Labor & Industry       3.       Commerce       Commerce         3. Commerce       Commerce       Commerce       Revenue       Sevenue         5. Welfare       Welfare       Welfare       Seducation       Fducation         7. Highways       Highways       Highways       Second Affairs         9. Administration       Administration       Civil Service         1. State Treas.       Law       Second State         4. Auditor       For second State       For second State	Gov. FreemanCommissionMichigan Depariment of Agriculture1.AgricultureÅgricultureAgriculture2.LaborLabor & IndustryLabor3.CommerceCommerceCommerce4.RevenueRevenueTreasury5.WelfareWelfareSocial Service6.EducationEducationEducation7.HighwaysHighwaysState Highways8.Adj.Gen.& Civil DefenseArmed Forces & Veterans AffairsMilitary Affairs9.AdministrationAdministrationAdministration0.Civil ServiceCivil Service1.State Treas.Elaw2.Att. Gen.LawAtt. Gen.3.Sec. StateStateState4.AuditorElawState	Gov. FreemanCommissionMichigan Department ofBill Frenzel1. AgricultureÅgsicultureAgricultureAgriculture2. LaborLabor & IndustryLaborLabor & Industry3. CommerceCommerceCommerceCommerce4. RevenueRevenueTreasuryTaxation5. WelfareWelfareSocial ServiceWelfare & Corrections6. EducationEducationEducationEducation7. HighwaysHighwaysState HighwaysHighways8. Adj.Gen.& Civil DefenseArmed Forces & Veterans AffairsMilitary AffairsCivil defense, military affairs & veterans affairs9. AdministrationAdministrationAdministrationAdministration0.Civil ServiceCivil ServiceFersonnel1. State Treas.IawAtt. Gen.Law (const.)2. Att. Gen.LawAtt. Gen.Law (const.)3. Sec. StateStateState (state) AuditorAuditor (const.)

CH	ART #1 (Coti	nued)	- 12 -		Page Two
	Gov. Freeman	Little Hoover Commission	Michigan	Bill Frenzel	B. T. Wruck
16.	Conservation	Conservation	Conservation		Business Dev. & Research
17.	Bd.Teachets College	Bd. Regents			Conservation
18.			Mental Health		
19.			State Police		
20.			Civil Rights		
21.			Corrections		
22.		Governor's Office	. • .		
23.		Labor Conciliation	<b></b>		
24.		State Licensing Authority	τ		
25.		Livestock Sanitary Bd.			
	(16)	(18)	(18)	(15)	(16)









Sibley Hoose

Publication Bd

explained in notes

IC: Abolish or absorb in

Tr: Transfer from another department

A: autonomous office, agency,

beard, etc., or department

2 merge

E: elective office

N: New Function

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