

# ANNOTATIONS TO MINNESOTA STATUTES

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## PART I

### PUBLIC RIGHTS

#### Sovereignty, Jurisdiction, and Civil Divisions

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### CHAPTER I

#### Sovereignty, Jurisdiction

##### 1.01 EXTENT

-Concurrent state power. 34 MLR 338.

The test of navigability to fix ownership of lake beds must be determined as of the date of the state's admission to the Union and under federal decisions with reference thereto. *State v Longyear*, 224 M 451, 29 NW(2d) 657.

Even though permanent structures within the boundary of a state are attached to the river bed, the concurrent jurisdiction does not extend to the adjacent state. *State v City of Hudson*, 231 M 127, 42 NW(2d) 546.

Persons possessing and operating slot machines on property in Itasca State Park leased to the federal government are subject to prosecution under the state law. OAG June 3, 1948 (733-D).

##### 1.03 WATERS INCLUDED

The Hennepin county board may license the sale of 3.2 beer on a boat navigating Lake Mirmetotka while the boat is within the county of Hennepin. If the boat enters the boundaries of any village it may also be required to obtain a village license. OAG Oct. 28, 1948 (217-F4).

##### 1.041 CONCURRENT JURISDICTION OF STATE AND UNITED STATES

HISTORY. 1943 c 343 s 1.

Power to decline the exercise of federal jurisdiction. 37 MLR 46.

Privileges and immunities by the United States to the United Nations organization, its property, and its personnel. 34 MLR 445.

Federal government; state governments; natural resources. 37 MLR 569.

Persons possessing and operating gambling devices on property leased to the federal government in Itasca State Park are subject to prosecution under the state law. OAG June 3, 1948 (733-D).

## 1.143 SOVEREIGNTY AND JURISDICTION

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### 1.143 STATE TREE, DESIGNATION

HISTORY. 1953 c 20 s 1.

### 1.144 STATE TREE, PHOTOGRAPH

HISTORY. 1953 c 20 s 2.

### 1.15 BOUNDARY COMPACT; MICHIGAN, WISCONSIN, MINNESOTA

NOTE: The signing of the compact was authorized by Michigan, Laws 1947, Chapter 267; by Wisconsin, Laws 1947, Chapter 222; and by Minnesota, Laws 1947, Chapter 589. The compact was signed by the governor of Michigan, February 3, 1947; by the governor of Wisconsin, December 22, 1947; and by the governor of Minnesota, December 30, 1947. The compact was approved by the Federal Government.

Interstate compacts; power of supreme court to interpret the state constitution. 36 MLR 162.

### 1.17 RATIFICATION

Ratified as follows: Michigan, February 3, 1947; Wisconsin, December 22, 1947; Minnesota, December 30, 1947.

## CHAPTER 2

### TERRITORIAL DIVISIONS

#### LEGISLATIVE

### 2.02 NUMBER OF MEMBERS

Minnesota Constitution, Article IV, Section 24, does not require the election of senators from odd-numbered senatorial districts at the general election to be held November 2, 1948. The Supreme Court must take the language of the constitutional amendment fixing terms and times for election of state senators, as voicing its purpose, regardless of the purpose of legislature which proposed the amendment. *Kernan v Holm*, 227 M 89, 34 NW(2d) 327.

### 2.03 APPORTIONMENT

A valid reapportionment act continues in force until superseded by a subsequent valid act. OAG March 3, 1949 (280-M).

### 2.65 SIXTY-SECOND DISTRICT

The county of Beltrami was in 1922 divided into two counties and by popular vote designated Beltrami and Lake of the Woods counties. These two counties constitute one district and shall be entitled to elect one representative. A person desiring to be a candidate for nomination as a member of the House of Representatives from Beltrami and Lake of the Woods counties must file his affidavit of candidacy with the secretary of state. Candidates for a member of the lower house of the legislature from Koochiching county must file with the county auditor of that county. OAG April 21, 1924 (280-G).