

EXECUTIVE DEPARTMENT

CHAPTER 4

GOVERNOR

4.01 CUSTODIAN OF STATE PROPERTY

HISTORY. 1858 c 87 s 1; PS 1858 c 5 s 2; GS 1866 c 6 s 1; GS 1878 c 6 s 1; GS 1894 s 298; RL 1905 s 26; GS 1913 s 54; GS 1923 s 54; MS 1927 s 54.

4.02 SECRETARY AND OTHER EMPLOYEES

HISTORY. 1870 c 40; 1879 c 100 s 1; GS 1878 Vol 2 (1888 Supp) c 6 s 66; 1889 c 251 s 1; 1893 c 99 s 1; 1893 c 241; GS 1894 c 304; RL 1905 s 27; MS 1927 s 55.

4.04 POWERS

HISTORY. 1858 c 87; PS 1858 c 5 s 6, 7, 9; GS 1866 c 6 s 5; GS 1878 c 6 s 5; GS 1894 s 302; RL 1905 c 29; GS 1913 s 58; GS 1923 s 58; MS 1927 s 58.

Facsimile reproductions of the state seal by the Minnesota Historical Society in advertising the State Centennial is not improper. OAG Dec. 16, 1948 (385-A).

A prospective appointment to fill a vacancy sure to occur in a public office, made by an officer who, or a body which, as then constituted, is empowered to fill the vacancy when it arises, is, in the absence of a law forbidding it, a valid appointment, and vests title to the office in the appointee. OAG July 9, 1953 (213-F).

CHAPTER 5

SECRETARY OF STATE

5.02 ASSISTANTS

HISTORY. 1858 c 57 s 1, 2; PS 1858 c 5 s 15, 16; GS 1866 c 6 s 8; 1876 c 96 s 1; GS 1878 c 6 s 8, 12; 1883 c 147 s 1; 1883 c 148 s 1; GS 1878 Vol 2 (1888 Supp) c 6 s 12a; 1885 c 290; GS 1894 s 306, 316, 317; 1897 c 358; 1899 c 137; 1902 c 92; RL 1905 s 31; GS 1913 s 60; GS 1923 s 60; MS 1927 s 60.

5.03 CLERK OF GOVERNMENT SURVEYS

HISTORY. 1907 c 416 s 1; GS 1913 s 61; 1921 c 197 s 1; GS 1923 s 61; MS 1927 s 61.

5.04 APPOINTMENT; SALARY

HISTORY. 1907 c 416 s 2; GS 1913 s 62; 1921 c 197 s 1; GS 1923 s 62; MS 1927 s 62.

5.05 DUTIES OF SECRETARY

HISTORY. 1858 c 85 s 1; PS 1858 c 4 s 21; GS 1866 c 6 s 9; GS 1878 c 6 s 9; GS 1894 s 307; RL 1905 s 32; GS 1913 s 63; GS 1923 s 63; MS 1927 s 63.

MINNESOTA STATUTES 1953 ANNOTATIONS

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STATE AUDITOR 6.04

Money appropriated to the secretary of state by Laws 1947, Chapter 634, Section 12, Clause 5, may be used only for the purchase of motor license plates made by the state reformatory at St. Cloud. OAG Dec. 23, 1947 (9-A-26).

5.06 AMENDMENT TO U. S. CONSTITUTION; RATIFICATION, NOTICE

HISTORY. Ex1912 c 13 s 1; GS 1913 s 64; GS 1923 s 64; MS 1927 c 64.

CHAPTER 6

STATE AUDITOR

6.01 DUTIES; SEAL

HISTORY. RS Ter 1851 c 4 s 1; July 20, 1858; PS 1858 c 5 s 19, 20; GS 1866 c 6 s 11, 12; GS 1866 c 38 s 2; GS 1878 c 6 s 13, 14; GS 1878 c 38 s 2; 1885 c 102 s 1; 1889 c 44 s 1-10; GS 1894 s 319, 320, 3959, 5433; RL 1905 s 33; GS 1913 s 65; GS 1923 s 65; MS 1927 s 65.

6.02 EMPLOYEES

HISTORY. 1858 c 65 s 20-22; PS 1858 c 5 s 38; GS 1866 c 6 s 21; GS 1878 c 6 s 23; 1883 c 146 s 1; 1885 c 96; GS 1878 Vol 2 (1888 Supp) c 6 s 23a; GS 1894 s 329, 330; RL 1905 s 34; GS 1913 s 66; GS 1923 s 66; MS 1927 s 66.

6.03 AUDIT OF CLAIMS

HISTORY. RS Ter 1851 c 4 s 6; 1858 c 65 s 4, 5; PS 1858 c 5 s 22; GS 1866 c 6 s 13, 14; GS 1878 c 6 s 15, 16; GS 1894 s 321, 322; RL 1905 s 35; GS 1913 s 67; 1917 c 48 s 1; 1923 s 67; MS 1927 s 67.

Moral obligation justifying expenditure of public funds. 33 MLR 661.

Where the clerk of the district court transmits to the state auditor certificates and receipts by a claimant asking a bounty for procuring the arrest and conviction of persons charged with horse stealing, and no specific appropriation for the payment of such bounty having been made by the legislature for many years, the state auditor has no authority at the next tax settlement to deliver to the state treasurer a warrant for the amount certified as a credit to the county. The only relief to the claimant is to present a claim to the next legislature. OAG May 1, 1947 (9-A).

Where the commissioner of highways acts as an agent for a county and moneys due a contractor are paid to the district court pursuant to a court order, the clerk of the district court is not entitled to a commission for receiving and paying out such money. OAG June 19, 1950 (14 4-B-7).

The compensation for a member of the interim tax commission for using his car in his duties is limited to seven and one-half cents per mile. As to other expenses, members of the commission are allowed such amount as is necessarily incurred in the performance of their duties. In presenting their expense bill, the provisions of Laws 1953, Chapter 736, Section 6, must be complied with. OAG Dec. 31, 1953 (280-C).

6.04 APPROVAL OF CLAIMS

HISTORY. 1905 c 96; 1909 c 120 s 1; GS 1913 s 68; 1917 c 480 s 2; GS 1923 s 68; MS 1927 s 68.

Moral obligation justifying public expenditures. 33 MLR 661.