

CHAPTER 3C

REVISOR OF STATUTES

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3C.01 APPOINTMENT OF REVISOR.

The legislative coordinating commission shall appoint a qualified person to the position of revisor of statutes. The revisor shall serve at the pleasure of the commission. The commission shall fix the revisor's salary.

History: 1984 c 480 s 1

3C.02 REVISOR'S POWERS.

Subdivision 1. Regular staff; hiring and salaries. The revisor shall employ and may fix the salaries of drafters and technical, research, and clerical assistants necessary to do the work of the revisor's office.

Subd. 2. Additional staff; contractors. When full-time employees are not available to do the work of the office, the revisor may contract for drafting, technical, research, or clerical services.

Subd. 3. Purchasing. The revisor may purchase necessary office furniture and supplies.

Subd. 4. Contracting. The revisor may enter into contracts to provide necessary services and supplies to the office.

Subd. 5. Limitation of powers. The exercise of the powers set forth in subdivisions 1 to 4 is subject to the control of the legislative coordinating commission.

History: 1984 c 480 s 2

3C.03 DRAFTING DUTIES OF REVISOR'S OFFICE.

Subdivision 1. Limitation. As far as personnel and available appropriations permit, the revisor's office shall perform the drafting duties described in subdivisions 2 to 4.

Subd. 2. Drafting department. The revisor's office shall maintain a drafting department. On request, the office shall draft or help to draft bills, resolutions, and amendments for the governor, members of the legislature, departments or agencies of the state, or special committees or commissions created by the legislature or appointed by the governor to study or revise the laws. The revisor's office also has the rule drafting duties described in chapter 14.

Subd. 3. Requests for drafting services. The persons or bodies listed in subdivision 2 may submit to the revisor's office requests for drafting services. A request must state briefly the policy and purpose of the document to be drafted. Documents must be drafted to conform to the instructions given in the request.

Subd. 4. Drafting manual. The revisor's office shall prepare and issue a bill drafting manual containing styles and forms for drafting bills, resolutions, and amendments.

History: 1984 c 480 s 3

3C.035 DRAFTING FOR EXECUTIVE BRANCH.

Subdivision 1. Deadlines. A department or agency intending to urge the legislature to adopt a bill shall deliver the drafting request for the bill to the revisor of statutes by November 1 before the regular session of the legislature at which adoption will be urged. A commissioner or agency head, however, may deliver a drafting request later by certifying to the revisor, with supporting facts, that the request is an emergency, relates to a matter that could not reasonably have been foreseen before November 1, or for which there is other reasonable justification for delay. The completed bill draft, in a form ready for introduction, must be delivered by the revisor to a senator or representative as directed by the department or agency. If the draft was requested after November 1, it must be accompanied by a copy of the commissioner's certification to the revisor.

Subd. 2. Costs. Agencies shall include in their budgets amounts to pay for bill drafting services provided by the revisor of statutes. The revisor shall assess agencies for the actual cost of bill drafting services rendered to them on requests delivered to the revisor by November 1. The revisor shall assess agencies for double the actual cost of bill drafting services rendered to them on requests delivered to the revisor after November 1. The revisor shall also assess an agency for the actual cost or double the actual cost, as appropriate, for drafting a request that a senator or representative submits to the revisor's office on behalf of the agency. The revisor may not assess a department or agency for the costs related to drafting affecting an agency if the request for drafting originated from within the legislature. Receipts from the assessment must be deposited in the state treasury and credited to the general fund.

Subd. 3. Restrictions on outside drafting. A department or agency may not contract with an attorney, consultant, or other person either to provide drafting services to the department or agency or to advise on drafting unless the revisor determines that special expertise is required for the drafting and the expertise is not available from the revisor or the revisor's staff. A department or agency may not request legislative staff, other than the revisor of statutes, to provide drafting services to the department or agency.

History: *ISp1985 c 13 s 69; 1987 c 404 s 64,65; 1988 c 686 art 5 s 1*

NOTE: Subdivision 2, as amended by Laws 1988, chapter 686, article 5, section 1, is effective July 1, 1989. See Laws 1988, chapter 686, article 5, section 11.

3C.04 OTHER OFFICE DUTIES DURING LEGISLATIVE SESSION.

Subdivision 1. Advice concerning effect of bills. The revisor's office shall give members of the legislature advice concerning the legal effect of bills or proposed bills, but only at the request of the members.

Subd. 2. Information gathering. The revisor's office shall gather information about the practical operation and effect of statutes of this and other states.

Subd. 3. Report to legislature. The revisor's office shall report to the legislature any statutory changes recommended or discussed or statutory deficiencies noted in any opinion of the supreme court of Minnesota. The report must be made by November 15 of each even-numbered year. It must treat opinions filed during the two-year period immediately preceding September 30 of the year before the year in which the session is held. It must include any comment necessary to outline clearly the legislative problem reported.

Subd. 4. Technical bills. The revisor's office shall prepare and submit to the legislature bills clarifying and correcting the statutes.

Subd. 5. Engrossment and enrollment. The revisor's office shall assist in the enrollment and engrossment of bills. Senate bills are to be under the supervision of the secretary of the senate. House bills are to be under the supervision of the chief clerk of the house of representatives.

In preparing an engrossment or enrollment, the revisor may correct misspelled words and other minor clerical errors. No correction of this kind constitutes an

alteration or departure from the text as shown in the journals of the Senate and House of Representatives.

In preparing an enrollment of a bill passed at a legislative session, the revisor shall assign the bill a chapter number. The order of numbering is the order of the date of the legislature's last vote on the bill before its presentment to the governor. The revisor, as the agent of the legislature, shall present the enrolled bills to the governor and report to the house of origin the date of presentment of the enrollment. The revisor shall show on the enrollment the date the enrollment was presented to the governor.

Subd. 6. Other services. The revisor's office shall perform other services requested by the legislature or either of its branches.

History: 1984 c 480 s 4; 1988 c 479 s 2

3C.05 PROHIBITIONS AND LIMITATIONS.

Subdivision 1. General. The revisor, employees of the revisor's office, and persons assisting the office as part-time employees or independent contractors are subject to the following prohibitions and limitations:

(a) They may not reveal to any person not employed by the revisor's office the content or nature of a request for drafting services. The content of the request and documents and communications relating to the drafting service supplied is not public and is not subject to subpoena, search warrant, deposition, writ of mandamus, interrogatory, or other disclosure.

(b) They may not urge or oppose legislation on issues susceptible to action in the Minnesota legislature.

(c) They may not use office time to conduct legal business other than the business of the revisor's office.

(d) They may not engage in outside activities that violate the ethical considerations concerning independent professional judgment and interests of multiple clients contained in the code of professional responsibility for lawyers.

(e) They may not engage in activities of a partisan nature.

Subd. 2. Office hours. The revisor's office must be kept open during the time provided by law for other state offices. When the legislature is in session the office must be kept open at the hours most convenient to the members of the legislature.

History: 1984 c 480 s 5

3C.055 ALLOCATION OF EDITING, PUBLICATION, AND MISCELLANEOUS COSTS OTHER THAN DRAFTING COSTS; APPROPRIATIONS.

Subdivision 1. Budget preparation. In preparing a budget for the office of the revisor of statutes, the revisor shall allocate to the executive branch the costs of editing and publishing Minnesota Rules and its supplement, preparing printer's copy for the printing of extracts of statutes and rules, editing and publishing a rule drafting guide, editing and publishing the copies of Minnesota Statutes, Minnesota Statutes supplement, and session laws that are delivered free to executive officers and agencies and to county or city libraries and the Minnesota historical society, and editing the copies of Minnesota Statutes, Minnesota Statutes supplement, and session laws that are sold to the public. The revisor shall allocate to the judicial branch the costs of editing and publishing the copies of Minnesota Statutes and its supplement, Minnesota Rules and its supplement, and session laws that are delivered free to the judicial branch. The revisor shall allocate to the legislative branch the costs of all other services not either allocated to the other two branches or reimbursed by assessments for services or receipts from sales.

Subd. 2. Transfer. The portion of the revisor's total costs allocated to the executive branch and appropriated to the department of administration must be transferred on July 1 of each year from the department's appropriation to the revisor's account. The portion of the revisor's total costs allocated to the judicial branch and

appropriated to the supreme court must be transferred on July 1 of each year from the court's appropriation to the revisor's account. The portion of the revisor's total costs allocated to the legislative branch and appropriated to the legislative coordinating commission must be transferred on July 1 of each year from the commission's appropriation to the revisor's account.

History: *1Sp1985 c 13 s 70*

NOTE: This section is repealed by Laws 1988, chapter 686, article 5, section 10, effective July 1, 1989. See Laws 1988, chapter 686, article 5, section 11.

3C.056 DRAFTING COSTS ASSESSMENT.

Those authorized by section 3C.03 to use the the revisor's drafting services, other than members of the legislature and commissions or committees appointed by the legislature, shall pay their proportionate share of the costs of drafting services actually furnished them. The revisor shall calculate and allocate costs and bill for drafting services by whatever system the revisor determines to be most fair and most practical for the revisor and for those being served. In billing for drafting services, the revisor shall use the statewide accounting system and the allotment and encumbrance system, but only to the extent necessary to facilitate the use of those systems by those being billed.

History: *1Sp1985 c 13 s 71*

3C.057 REVISOR'S ACCOUNT.

Money received by the revisor from transfers from other agencies and receipts from assessments and sales must be deposited in the state treasury and credited to a revisor's account. Money in the account is appropriated to the revisor of statutes for the operation and maintenance of the revisor's office. This appropriation does not lapse and must not be canceled.

History: *1Sp1985 c 13 s 72*

NOTE: This section is repealed by Laws 1988, chapter 686, article 5, section 10, effective July 1, 1989. See Laws 1988, chapter 686, article 5, section 11.

3C.06 LAWS OF MINNESOTA.

Subdivision 1. General requirements. As soon as possible after a session of the legislature has adjourned each year, the revisor shall publish the laws of the session in a publication called "Laws of Minnesota." It must be identified by the year of the session and have suitable headnotes and indexes as required by subdivision 4. Each law must be shown with the chapter number assigned to its enrollment under section 3C.04, subdivision 5. For each law, the revisor shall show the date when it was presented to the governor as shown on the enrolled bill and the date and time of day it was:

- (1) signed by the governor;
- (2) enacted finally without the governor's signature; or
- (3) approved by the legislature after the governor's veto.

For any bill that was vetoed, the revisor shall show that it was vetoed. If appropriate, the revisor shall show that the bill was reconsidered and not approved by the legislature. If not reconsidered, the revisor shall show whether or not the legislature has subsequently adjourned sine die.

Subd. 2. Approval dates of local laws. For each special law for which the certificate of local approval required by section 645.021 has been filed with the secretary of state before the printer's copy for Laws of Minnesota is prepared, the published volume must give the date of filing. The published volume containing the special laws must include a table giving the approval date for all special laws adopted during the biennium ending on the previous December 31.

Subd. 3. Table of sections affected. Each edition of Laws of Minnesota must contain a table showing the sections of the Minnesota Statutes and the session laws affected by the acts passed at that session of the legislature.

Subd. 4. **Index.** Each edition of Laws of Minnesota must contain an alphabetical index of the laws contained in the edition.

History: 1984 c 480 s 6; 1988 c 479 s 3

3C.07 MINNESOTA STATUTES, HISTORICAL STATUS.

Subdivision 1. **Minnesota Revised Statutes.** The compilation and revision of the general and permanent statutes of Minnesota, prepared by the revisor under the provisions of Laws of Minnesota 1943, chapter 545, and filed with the secretary of state on December 28, 1944, is adopted and enacted as Minnesota Revised Statutes. Minnesota Revised Statutes must not be cited, enumerated, or otherwise treated as a session law. Acts passed at the 1945 biennial session of the legislature are not repealed or modified by the adoption of Minnesota Revised Statutes. The laws contained in Minnesota Revised Statutes are continuations of the acts from which compiled and are not new enactments.

Subd. 2. **Minnesota Statutes 1945; text, coding, histories.** Immediately after the end of the biennial session of the legislature in 1945, the revisor of statutes shall prepare and deliver to the commissioner of administration printer's copy for Minnesota Statutes 1945. This copy must contain all the text embodied in the "Minnesota Revised Statutes" except as provided in this chapter. The revisor shall incorporate with the body of the text of the "Minnesota Revised Statutes" the amendments made to any of its sections at the 1945 biennial session of the legislature and omit any statutes expressly repealed at that session. The laws contained in Minnesota Statutes 1945 are continuations of the acts from which compiled and are not new enactments.

The revisor shall compile and include in Minnesota Statutes 1945, in an appropriate place and classification, all general and permanent laws enacted at the 1945 biennial session. The revisor shall assign these laws appropriate chapter and section identification by the decimal system of numbering.

After each section the revisor shall place a source note indicating the chapter and section of the session law from which the section was derived.

History: 1984 c 480 s 7

3C.08 MINNESOTA STATUTES; CONTENTS.

Subdivision 1. **Permanent required contents.** The revisor's office shall publish editions of Minnesota Statutes. Minnesota Statutes must contain the constitution of the United States, the constitution of Minnesota, all general and permanent statutes in force, an alphabetical index, a table of permanent local laws, rules of the supreme court, rules of the district court, rules of the county court, rules of other courts, rules applicable to the courts generally, and any other information the revisor considers desirable and practicable.

Subd. 2. **Decimal coding system.** The decimal system of numbering of sections contained in Minnesota Statutes 1945 must be continued in all future editions of Minnesota Statutes, except that alphabetical letters may be used in addition to the decimal numbers. Chapters and sections of Minnesota Statutes retain the numbers and titles given them in Minnesota Revised Statutes until changed by the revisor or by statute.

Subd. 3. **Headnotes.** The headnotes of the sections of any edition of the Minnesota Statutes printed in boldface type are mere catchwords to indicate the contents of the section and are not any part of the statute.

Subd. 4. **New laws incorporated.** As soon as possible after a session of the legislature has adjourned, the revisor's office shall incorporate into the text of Minnesota Statutes the permanent general laws enacted and the amendments made to the statutes at that session and at any extra session of the legislature. The office shall also omit any sections expressly repealed. The office shall assign appropriate chapter and section numbers to these laws and shall arrange them in proper order. After each section the office shall place a source note indicating the chapter and section of the session law from which the section was derived.

Subd. 5. Form and style changes. The form and style of Minnesota Statutes may be changed as necessary to improve its quality and to permit the use of electronic data processing equipment, computer compatible media, and other related equipment in connection with its publication.

History: 1984 c 480 s 8

3C.09 MINNESOTA STATUTES; SUPPLEMENTATION.

If the revisor's office does not publish an edition of Minnesota Statutes in a given year, it may publish a supplement to Minnesota Statutes. The supplement must be identified by the year of publication and to the extent possible must otherwise comply with section 3C.08.

History: 1984 c 480 s 9; 1984 c 655 art 2 s 19 subd 1

3C.10 PUBLICATION POWERS.

Subdivision 1. Editorial powers for statutes. The revisor's office, in preparing printer's copy for editions of statutes, may not alter the sense, meaning, or effect of any legislative act, but may:

- (a) renumber sections or subdivisions and parts of sections or subdivisions;
- (b) change the wording of headnotes;
- (c) rearrange sections or subdivisions;
- (d) combine sections or subdivisions into other sections or other subdivisions, or both;
- (e) divide sections or subdivisions into other sections or subdivisions so as to give to distinct subject matters a section or subdivision number;
- (f) substitute the proper section, chapter, or subdivision numbers for the terms "this act," "the preceding section," and the like;
- (g) substitute figures for written words and vice versa;
- (h) substitute the date on which the law becomes effective for the words "the effective date of this act," and the like;
- (i) change capitalization for the purpose of uniformity;
- (j) correct manifest clerical, typographical, grammatical, or punctuation errors;
- (k) correct words misspelled in enrollments;
- (l) change reference numbers to agree with renumbered chapters, sections, or subdivisions;
- (m) delete the phrases "Minnesota Statutes," "Minnesota Statutes 1980," and phrases identifying other editions of and supplements to Minnesota Statutes if the phrases are used in a reference to a statutory section;
- (n) replace gender specific words with gender neutral words and, if necessary, recast the sentences containing gender specific words; and
- (o) make similar editorial changes to ensure the accuracy and utility of the publication.

Subd. 2. Agency rules. The revisor's office may integrate agency rules into Minnesota Statutes, or publish the rules as an adjunct to Minnesota Statutes, or coordinate publication of the rules with Minnesota Statutes.

Subd. 3. Negotiated contracts. The revisor's office may negotiate for all or part of the editing, indexing, compiling, and printing of Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota and contract with a law book publisher for these services. The provisions of chapter 16 as they relate to competitive bidding do not apply to these contracts. No contract may be made until the revisor of statutes has consulted with the legislative coordinating commission. Failure or refusal of the commission to make a recommendation promptly shall be deemed an affirmative recommendation.

History: 1984 c 480 s 10; 1986 c 444 s 4

3C.11 GENERAL PUBLICATION DUTIES.

Subdivision 1. Certificate of correctness. In preparing an edition of Minnesota Statutes, a supplement to Minnesota Statutes, or an edition of Laws of Minnesota, the revisor's office shall compare each section in the edition with the original section of the statutes or with the original section in the enrolled act from which the section was derived, together with all amendments of the original section. In one copy of the edition, the revisor shall attach a certificate certifying that this comparison has been made and that all sections appear to be correctly printed. The copy containing the revisor's certificate must be filed in the office of the secretary of state as a public record. All other copies of the edition must contain a printed copy of the certificate.

Subd. 2. Pamphlets. The revisor's office shall compose, print, and deliver pamphlets containing parts of Minnesota Statutes, parts of Minnesota Rules, or combinations of parts of the statutes and rules as may be necessary for the use of public officers and departments. The revisor's office shall use a standard form for the pamphlets. The cost of composition, printing, and delivery of the pamphlets, together with a reasonable fee for the revisor's services, is to be borne by the office or department requesting them. The printing must be limited to actual needs as shown by experience or other competent proof. Revenue from the revisor's fee must be deposited in the general fund.

Subd. 3. Slip laws. In the time before Laws of Minnesota is published each year, the revisor's office shall furnish, upon request and without charge, a copy of each law or resolution to a member of the legislature, a legislative staff member, a constitutional officer, a justice of the supreme court, or a judge of the court of appeals.

History: 1984 c 480 s 11; 1987 c 404 s 66; 1988 c 686 art 5 s 2

NOTE: Subdivision 2, as amended by Laws 1988, chapter 686, article 5, section 2, is effective July 1, 1989. See Laws 1988, chapter 686, article 5, section 11.

3C.12 SALE AND DISTRIBUTION OF STATUTES AND LAWS.

Subdivision 1. Number of copies printed. The revisor shall determine how many copies of Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota are to be printed. Subject to the requirements of subdivision 2, the revisor shall determine how the copies are to be distributed and disposed of.

Subd. 2. Free distribution. The revisor shall distribute without charge copies of each edition of Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota to the persons or bodies listed in this subdivision. Before distributing the copies, the revisor shall ask these persons or bodies whether their work requires the full number of copies authorized by this subdivision. Unless a smaller number is needed, the revisor shall distribute:

- (a) 30 copies to the supreme court;
- (b) 30 copies to the court of appeals;
- (c) one copy to each judge of a district court;
- (d) one copy to the court administrator of each district court for use in each courtroom of the district court;
- (e) one copy to each judge, district attorney, clerk of court of the United States, and deputy clerk of each division of the United States district court in Minnesota;
- (f) 100 copies to the office of the attorney general;
- (g) ten copies each to the governor's office, the departments of agriculture, commerce, corrections, education, finance, health, transportation, labor and industry, jobs and training, natural resources, public safety, public service, human services, revenue, and the pollution control agency;
- (h) two copies each to the lieutenant governor and the state treasurer;
- (i) 20 copies each to the department of administration, state auditor, and legislative auditor;
- (j) one copy each to other state departments, agencies, boards, and commissions not specifically named in this subdivision;

- (k) one copy to each member of the legislature;
- (l) 150 copies for the use of the senate and 200 copies for the use of the house of representatives;
- (m) 50 copies to the revisor of statutes from which the revisor shall send the appropriate number to the Library of Congress for copyright and depository purposes;
- (n) four copies to the secretary of the senate;
- (o) four copies to the chief clerk of the house of representatives;
- (p) 100 copies to the state law library;
- (q) 100 copies to the law school of the University of Minnesota;
- (r) five copies each to the Minnesota historical society and the secretary of state;
- (s) one copy each to the public library of the largest municipality of each county if the library is not otherwise eligible to receive a free copy under this section or section 15.18; and
- (t) one copy to each county library maintained pursuant to chapter 134, except in counties containing cities of the first class. If a county has not established a county library pursuant to chapter 134, the copy shall be provided to any public library in the county.

Subd. 3. Marking of state copies. Copies of Minnesota Statutes distributed to public officers, except members and officers of the legislature and officers of the United States, must be marked with the words "State Copy" and kept for the use of the office.

Subd. 4. Sale to county officers. Each county shall purchase from the revisor one copy each for the use of the judge of the county court or county municipal court, court administrator of the county court or county municipal court, county attorney, sheriff, auditor, treasurer, county recorder, and superintendent of schools.

Subd. 5. Sale to city and town officers. Each city and town shall purchase from the revisor the number of copies the city or town determines is needed for the use of each clerk of the city or town.

Subd. 6. Sale to state departments. A department, agency, board, commission, or other instrumentality of the state listed in this section may purchase from the revisor of statutes any additional copies which may be required.

Subd. 7. Sale price. The revisor shall fix a reasonable sale price of an edition of Minnesota Statutes, supplement to Minnesota Statutes, or edition of Laws of Minnesota. Revenue from the sale of the Minnesota Statutes, supplements to Minnesota Statutes, and Laws of Minnesota must be deposited in the general fund.

History: 1984 c 480 s 12; 1984 c 654 art 5 s 58; 1985 c 14 s 1; 1985 c 248 s 1; 1Sp1985 c 13 s 73; 1Sp1985 c 14 art 9 s 75; 1Sp1986 c 3 art 1 s 82; 1987 c 275 s 1; 1987 c 404 s 67; 1988 c 686 art 5 s 3

NOTE: Subdivision 7, as amended by Laws 1988, chapter 686, article 5, section 3, is effective July 1, 1989. See Laws 1988, chapter 686, article 5, section 11.

3C.13 LEGAL STATUS OF STATUTES.

Any volume of Minnesota Statutes, supplement to Minnesota Statutes, and Laws of Minnesota certified by the revisor according to section 3C.11, subdivision 1, is prima facie evidence of the statutes contained in it in all courts and proceedings.

Revised Laws of Minnesota 1905, General Statutes of Minnesota 1913, General Statutes of Minnesota 1923, Mason's Minnesota Statutes 1927, and supplements, appendix and addenda, or added volumes to these publications are prima facie evidence of the statutes contained in them in all courts and proceedings.

History: 1984 c 480 s 13; 1984 c 655 art 2 s 19 subd 2