PREFACE

I - THE OFFICE OF REVISOR OF STATUTES

Minnesota Statutes 2010 is compiled, edited, published, and distributed by the state of Minnesota as required by law. The state has been performing similar work on predecessor publications since it was organized as a territory of the United States.

The work began in 1851 when the legislature authorized the judiciary committees of the two houses to jointly compile and revise the laws of the territory of Minnesota. The committees appointed Morton S. Wilkinson, L.A. Babcock, and William Holcombe, who were to assist them in their work. The work was completed and the compilation was enacted by the legislature. Wilkinson was then appointed commissioner to superintend publication of the newly enacted compiled statutes. He published the compiled statutes together with explanatory notes, chapter analyses, and some textual alterations permitted by law.

Seven years later, in 1858, a similar commission was set up to recompile the statutes. It consisted of Moses Sherburne, Aaron Goodrich, and William Hollinshead. Sherburne and Hollinshead later compiled and privately published the statutes.

In 1863 another commission was established to revise the statutes. It consisted of S.J.R. McMillan, E.C. Palmer, Thomas Wilson, and Andrew G. Chatfield. Chatfield declined to serve, and in 1866 Gordon E. Cole was appointed to the commission. The new compilation, the work of Palmer and Cole, was presented to the legislature in 1866. It was enacted chapter by chapter, and Palmer was appointed commissioner to oversee its publication. The compilation was published with notes, tables, and indexes.

The next official compilation was authorized in 1901 when the Minnesota Supreme Court appointed Hiram F. Stevens, Daniel Fish, and T.J. Knox to a commission to recompile the statutes. Stevens later died and was succeeded by M.R. Tyler. The commission presented a report to the legislature in April 1905. It was adopted by the legislature and signed into law by the governor. The compilation, edited and annotated for the state by Mark B. Dunnell, was published in 1906 by the secretary of state.

In 1911 the legislature authorized a commission consisting of the governor, the attorney general, and the chief justice to contract for the compilation and publication of the statutes. They made a contract with West Publishing Company, which published General Statutes of Minnesota 1913. The state again contracted for a private compilation with the Review Publishing Company in 1923. Neither the 1911 nor the 1923 recompilation was enacted or otherwise approved by the legislature.

The year 1939 marked an important change in the state's publication of its statutes. In that year, a law was enacted creating the Office of the Revisor of Statutes as a permanent agency under the jurisdiction of the Minnesota Supreme Court. The office was directed to prepare a new compilation to be called "Minnesota Statutes." In addition, the office was directed to engage in continual revision of the statutes. Continual revision, carried out properly, makes periodic bulk revision unnecessary and avoids both the increasing difficulty of using a steadily older compilation and the destabilizing effect of a bulk change.
PREFACE

The staff of the new office, under the direction of William B. Henderson, prepared and published Minnesota Statutes 1941. Because of problems in the text, it was not enacted. Rather, a new act in 1943 directed another revision. That work was completed, and a document entitled Minnesota Revised Statutes was filed with the secretary of state on December 28, 1944. In 1945 an act of the legislature "adopted and enacted" Minnesota Revised Statutes into law. The text of that act can be found on page lx.

The revisor then took Minnesota Revised Statutes, compiled into it the other laws enacted at the 1945 session of the legislature, and published it as Minnesota Statutes 1945. Since that time, the revisor has been revising the text of Minnesota Revised Statutes as enacted in 1945. The work is cumulative, each edition building on the previous edition of Minnesota Statutes.

Compilation and publication of laws are not the only duties of the revisor. Beginning in 1947 the office was also charged with drafting bills for the legislature and was authorized to hire attorneys to prepare the bills.

In 1957 the legislature mandated that the revisor prepare a biennial report on opinions of the Minnesota Supreme Court which found deficiencies in statutes. The report was intended to bring statutory problems found by the court to the attention of the legislature to be resolved through legislative action.

In 1969 the revisor became the publisher of the session laws and statutes as well as compiler and editor. Formerly, the Department of Administration was the publisher.

In 1970 the revisor changed from preparing bills by typewriter to using a computer text management system. In 1976, the use of the computer system was expanded to include the editorial work on statutes. This system eased the work of the staff and made it faster, more accurate, and more comprehensive. The system has been steadily updated and improved since then.

In 1973 the legislature removed the revisor's office from the judicial branch and made the office subject to the newly created Legislative Coordinating Commission. The change brought the agency that drafted the legislature's bills and compiled its laws directly under the legislature's control. In that same year, the legislature authorized publication of a supplement to the statutes. In 1977 the legislature required by law that the revisor assist the senate and house of representatives in the engrossment and enrollment of bills. As a practical matter, the revisor had been assisting in the engrossment and enrollment of bills for many years. The revisor uses the same computer text management system for engrossment and enrollment work that is used for bill drafting and editorial work.

The revisor's office is also authorized by other laws, customs, and rules to prepare bill comparisons, conference committee reports, committee and floor amendments, and other documents used by the senate and house of representatives in the legislative process. The Minnesota Revisor's Manual with Styles and Forms, which sets out in detail the law and method of bill drafting, is published periodically.

In 1980 the legislature charged the revisor with the responsibility of providing a drafting service for administrative rules and recompiling and publishing the administrative rules of the state agencies. The first publication of the recompiled rules occurred in 1983. The rules are published every other year and are supplemented periodically in pocket part format. The Minnesota Rules Drafting Manual, which sets out in detail the method of drafting administrative rules, is published periodically. Another publication, Rulemaking in Minnesota: a Guide, is also published periodically.


II - HISTORY OF THE PUBLICATION OF MINNESOTA STATUTORY LAW

In order to understand and use statutory law, it is necessary to know the meaning of the terms used and the inclusiveness and authority of the laws found in the various arrangements. The terms laws, acts, statutes, revisions, compilations, and codes are often used indiscriminately, but in the following discussion each has a specific meaning.

SESSION LAWS. Session laws are the laws enacted at each session of a legislature arranged and published in the order of chapter number. The laws for each session are usually bound in separate volumes. The names given to these volumes are not uniform among the states: Arizona uses "Session Laws," Ohio uses "Legislative Acts," and Vermont uses "Acts and Resolves." In Minnesota no formal title is provided by law. Chapter 3C of Minnesota Statutes refers to them only as "session laws." The title used on the title page of recent volumes is "Session Laws of the State of Minnesota." Earlier volumes use somewhat more lengthy titles but still use the term "session laws." The spine title of the printed volumes is "Laws of Minnesota" followed by the year of the session.

Minnesota session laws were first published in 1849. From 1851 to 1857, during territorial status, and from 1861 to 1879, they were published annually. Between 1857 and 1861, and between 1879 and 1973, laws were published during odd-numbered years when the legislature met. Annual legislative sessions have been held and annual volumes of the session laws have been published since 1973, when a constitutional amendment took effect permitting the legislature to meet every year. Many special sessions have been held since Minnesota became a territory. Laws enacted at special sessions have been published either separately or bound with the laws enacted during the prior or subsequent regular session. When laws enacted at special sessions are included in volumes of session laws, the volume titles before 1981 consistently refer to the laws as enacted at "extra" sessions despite the fact that Minnesota's constitution has always used "special" as the proper name for extraordinary sessions called by the governor.

General laws, those that affect the community at large, applying equally to everyone, are later incorporated into statutory compilations, revisions, and codes. Private, temporary, or local acts, such as laws incorporating a particular city, are usually found only in the session laws. In published volumes of session laws, general laws and special laws were physically separated from 1857 to 1893, sometimes published in one volume and sometimes in two. General laws and special laws originally in separate volumes may also be found to have been rebound into one volume by individual owners.
Constitutional amendments in 1881 and 1892 prohibited the passage of special or private laws; so, since 1893 there have been no session law volumes of special laws. Despite the amendments, many acts continued to be passed which, though general in form, had only special application. A 1958 constitutional amendment allows special legislation relating to local governments. The governing body or the electorate of the local government may be required to approve the law. See: Minnesota Constitution, article XII, sections 1 and 2; Minnesota Statutes, sections 645.021, 645.023, and 645.024.

Special laws and special sessions must not be confused. Special laws can be passed at either a regular or special session. They usually relate to local communities or other specific groups of persons or geographic areas. Special sessions, sometimes called extra sessions, are legislative sessions called by the governor.

**COMPILATION, REVISION, AND CODE.** Because acts are published each year in the order of chapter number and because previous acts are amended, are repealed, or become obsolete, the task of dealing with separate volumes of session laws obviously becomes more and more difficult. For this reason, various methods of putting current laws into some sort of logical order have been devised. Usually, legislatures give some form of sanction to these arrangements of statutes, in which case they are called "official." However, the degree of sanction varies. These arrangements usually take one of several forms.

A compilation is a rearrangement by subject matter of current laws or statutes of general application without change in language or substance. It is prepared either by persons or commissions officially authorized by the legislature or by private publishers without any official authorization. A compilation is never enacted by the legislature as law. It is, therefore, not law but merely evidence of it. The original session laws remain the law, and in case of conflict between the compilation and the session laws, the session laws prevail.

Sometimes legislatures create by statute various forms of presumption in favor of compilations, official or private. So the compilations are taken as correct until a disparity between the compilation and the session laws is established. However, the courts sometimes treat compilations as law for certain purposes and not merely as evidence of it.

A revision is something more than a compilation. It is, like a compilation, a rearrangement by subject matter of the current statutes of general application; but unlike a compilation, it almost always involves changes in the language of existing statutes so as to clarify ambiguities and reduce verbiage. It may also involve changes in substance, particularly for the purpose of eliminating conflicts in existing statutes. The scope of the revision can often be determined by reference to the statute or resolution which authorizes the revision and tells the revisors what they are to do.

The chief difference between a compilation and a revision is that a revision is always passed by the legislature as a separate law. When the revisors have completed their work, the revision is introduced in the legislature as a bill and is considered and passed in the same way as any other law. This means, theoretically at least, that the revision is the law, not merely evidence of it, and that in cases of conflict between the revision and the session laws, the revision governs. Often, however, legislatures do not give full effect to this principle. They frequently limit the effect of a revision by stating that its provisions are to be construed as continuations of the laws from which they were derived and not as new enactments. The result is that it can be difficult to tell whether changed language in a revision changes the substance of existing law.
A code is a systematic arrangement in statutory form of all existing statutory and common law. Codification changes the form and may change the substance of the law. New provisions may be added. Codes, such as the Code Napoleon, are prevalent in civil law countries. In the United States, modified forms of codification are found in specific fields where revisors or advisory commissions rewrite the law in the light of existing statutes, cases, and principles of law. The Criminal Code of 1963, the Uniform Probate Code, and the Uniform Commercial Code are examples of codes in Minnesota law.

**HISTORY.** The area that was to become Minnesota has been under the jurisdiction of four sovereign powers: England, France, Spain, and the United States.

Seventeenth-century English and French explorers claimed parts of the territory for their respective sovereigns. In addition, the colony of Virginia laid claim to western lands extending from sea to sea, west and northwest, under its charter of 1609 from James I (1603-1625).

In 1762, before the end of the Seven Years' War between England and France (French and Indian War), France conveyed some of its territory to Spain. In 1800, Spain ceded the territory west of the Mississippi River back to France. In 1803 Napoleon offered and sold the Louisiana Territory to the United States.

The British relinquished their claim to territory now included in Minnesota by the treaty of peace between the United States and Britain on September 3, 1783, the Treaty of Ghent in 1814, which concluded the War of 1812, and the Convention of 1818.

After the 1783 treaty, which established the independence of the United States, Virginia ceded part of its territory, which included the eastern part of Minnesota, to the United States. This remained unorganized territory until the Northwest Ordinance of 1787 was passed by Congress, providing for the government of this territory. The text of the Northwest Ordinance may be found on page xliii.

Eastern Minnesota, to which the Northwest Ordinance originally applied, subsequently came at different times under the jurisdiction of the territories of Ohio, Indiana, Illinois, Michigan, and Wisconsin. Western Minnesota, to which the Northwest Ordinance did not apply, came under the jurisdiction of the territories of Louisiana, Missouri, and Iowa. At times, parts of what was to become Minnesota were not under the jurisdiction of any territory.

In 1849, Congress passed the Organic Act, establishing a government for the territory of Minnesota. The text of the Organic Act may be found on page xlix.

Minnesota's Enabling Act, passed by Congress on February 26, 1857, provided that the inhabitants of the territory be "authorized to form for themselves a constitution and state government...and to come into the Union on an equal footing with the original states...." The full text of the Enabling Act may be found on page Iv.

Minnesota formed its constitution and became a state by the congressional Act of Admission into the Union of May 11, 1858. The text of the Act of Admission may be found on page Ivii.

**PUBLICATIONS.** A list of all the compilations, revisions, and codes that have been published in Minnesota follows. Each is described briefly by showing the reason for preparing it and the legislative effect of it.


These laws comprise the laws of Wisconsin which were in force in the territory of Minnesota and which were later incorporated into Revised Statutes 1851.
They were printed as chapter numbers xlv through lxiii of the first volume of the session laws of the territory of Minnesota in 1849. The index to these Wisconsin laws begins on page 203.

The Revised Statutes of the Territory of Minnesota, Passed at the Second Session of the Legislative Assembly Commencing January 1, 1851.... St. Paul, James M. Goodhue, 1851.

According to section 12 of the 1849 congressional Organic Act establishing the territory of Minnesota, the laws of Wisconsin at the date of the admission of Wisconsin to statehood would be in force in Minnesota "so far as the same be not incompatible with the provisions of this act, subject, nevertheless, to be altered, modified, or repealed." The Wisconsin acts were scattered through nine or ten different publications, some of which were almost impossible to obtain.

In 1851, Governor Ramsey recommended and a legislative joint resolution authorized the compilation and revision of the laws of the territory. The completed work was intended to present an entire system of laws for the territory of Minnesota. Revised Statutes 1851, chapter 2, section 5, states that this revision is to be designated as "Revised Statutes." Section 11 provides that these statutes are "entitled to be read in evidence in any court of justice, or in any other place...."

The outline and the arrangement of Revised Statutes 1851 follow the outline and arrangement of the 1849 Revised Statutes of the State of Wisconsin; the numbering system, however, is different. Some of the sections appear to be verbatim copy; others have been revised extensively. The volume represents only a compilation of the Wisconsin laws applicable in Minnesota. Other laws from Laws 1849 are appended but not incorporated in the compilation.

Amendments to the Revised Statutes, of the Territory of Minnesota, Passed at the Third Session of the Legislative Assembly, Commencing January 6, 1852. St. Paul, Owens and Moore, 1852.

This publication is arranged in the same order as Revised Statutes 1851, and it must be used in connection with it.

Collated Statutes of the Territory of Minnesota and Decisions of Supreme Court Collated Pursuant to a Resolution of March 5, 1853. St. Paul, Joseph R. Brown, 1853.

This is an official listing, not in chronological order, of both the general laws and the private acts that were in force July 1, 1853, and that had not been included in Revised Statutes 1851. Joint resolution number 3 of the legislature on March 5, 1853, authorized the secretary of the territory "to have these acts collated, properly noted and indexed." (Laws 1853, page 64)

Also included in the volume are Hollinshead's reports of cases argued and determined in the supreme court of the territory of Minnesota during the July term, 1851, and Isaac Atwater's reports, July term, 1852.

Code of Pleadings and Practice in Civil Actions in the Courts of this State, reported to the Legislature of Minnesota by Aaron Goodrich, one of the Commissioners appointed to review the laws. St. Paul, Earle S. Goodrich, state printer, Pioneer and Democrat office, 1858.

There had been much disagreement in Minnesota about whether to retain the old common law or to adopt a new statutory code of practice and pleadings such as the Code of Procedure of the State of New York, also known as the Field Code, which New York adopted in 1848. The state legislature chose to adopt a code.

According to the Minnesota code's introduction, a joint resolution was passed by the Minnesota Legislature in March of 1858 directing that commissioners Aaron
Goodrich, Moses Sherburne, and William Hollinshead prepare a system of pleadings and practice to be followed in the state courts, using the Field Code as a guide, "having reference to the brevity and legal intent of the pleadings; and that they cause the result of their labors to be printed and laid before the Legislature at the earliest day practicable." The dissents of Goodrich from many of the Minnesota code's provisions are reported in the introduction.

A "Report of the Select Committee on the Code of Procedure," which urged the adoption of the proposed code, is published in the Journal of the House of Representatives for March 19, 1858, on page 558. This code somewhat conforms to the Field Code.


The object of this official compilation was to republish the general laws contained in Revised Statutes 1851, incorporating the laws contained in Laws 1849, Laws 1851, Laws 1852, Laws 1853, Laws 1854, Laws 1855, Laws 1856, Laws 1857, Laws 1857 Extra Session, and Laws 1858. An attempt was made to include only the laws in force and to omit those repealed.

Laws 1858, chapters 7 and 37, provided that commissioners were to prepare this compilation and that justices of the supreme court were to examine and approve it. Public Statutes 1849-1858, chapter 3, section 31, provided that when so approved and published, the compilation "shall be received in all places whatsoever as the laws of the state...." The statutes were not enacted by the legislature.


Laws 1863, chapter 25, provided for the appointment of commissioners to revise the statutes. Their report, made at the legislative session of 1866, was referred to a select joint committee which examined the revision chapter by chapter and added such amendments as it deemed advisable. This revision was then presented to the legislature. Each chapter was enacted separately.

Bound with this is Appendix to Report of the Commissioner of Revision Embracing the Amendments to the Same, Adopted by the Legislature and several of the session laws of 1866 which were not included in General Statutes. These amendments and laws were prepared by Judge E. C. Palmer, who had been one of the commissioners of revision.

The General Statutes of the State of Minnesota Revised by Commissioners Appointed Under an Act Approved February 17, 1863, and Acts Subsequent Thereunto, Amended by the Legislature, and Passed at the Session of 1866.... St. Paul, Davidson and Hall, 1866. (also imprints in 1867 and 1872)

Laws 1866, chapter 17, provided for the publishing of the commissioners' revision which was officially enacted into law. This compilation is apparently based upon the Public Statutes of 1859 but removes laws subsequently repealed and adds general laws included in Laws 1859, Laws 1861-1862, Laws 1862 Extra Session, Laws 1863, Laws 1864, Laws 1865, and Laws 1866. Editing is attributed to E. C. Palmer.

General Statutes 1866, chapter 121, section 9, states that:

The provisions of the General Statutes so far as they are the same as those of existing laws, shall be construed as a continuation of such laws, and not as new enactments, and references in laws not repealed to provisions of laws
incorporated into the General Statutes, and repealed, shall be construed as applying to the same provisions so incorporated. The volume contains a list of acts previously repealed, a glossary, and an index.

The Statutes at Large of the State of Minnesota Comprising the General Statutes of 1866...Together with All Laws of a General Nature in Force, March 7, A.D. 1873.... Compiled and arranged by A. H. Bissell. Chicago, Callaghan and Co., 1873.

This is an unofficial compilation of statutes. It is based upon the General Statutes of 1866 omitting parts of General Statutes 1866 which were repealed and adding new general laws in Laws 1867, Laws 1868, Laws 1869, Laws 1870, Laws 1871, Laws 1872, and Laws 1873.

The first appearance of annotations is found in this compilation. The preface states that an "endeavor has been made to cite every case to be found in our state reports bearing in any way upon the statutes." References are also given to Wisconsin decisions and to those of other states with similar statutes in which the interpretation has been different. Some changes in the numbering system were made. Curative and legalizing acts after 1857, except those of the year 1861, are included in part V.

Laws 1874, chapter 79, section 1, provides that Statutes at Large be "admissible in all the courts of law of this state, and on all occasions as prima facie evidence of such laws."


The preface sums up the purpose and value of this publication.

An Index of the Laws of this State has long been needed; none has been before compiled; and since 1866 there has been no authorized revision of the General Laws. Parties wishing to trace any law have been obliged to hunt through some twenty-five volumes...and even then the result has been very unsatisfactory, owing to the fact that the several indexes have been made by different persons, after different plans, and in a hasty manner.... General Laws enacted prior to 1866 that have no importance and have been superseded by the revision, have been briefly referred to, while all laws enacted since are indexed in detail.

This is an index of session laws only, with general and special laws indexed separately. Special laws, especially those relating to roads, taxes, and titles to real estate, are fully indexed.


Laws 1878, chapter 67, authorized George B. Young and others to compile, arrange, and put into chapters laws with appropriate heads and with references to the decisions of the supreme court and the public acts in force. It is also based upon the Revised Statutes 1866 and all session laws also included in the 1873 Statutes at Large plus general laws from Laws 1874, Laws 1875, Laws 1876, Laws 1877, and Laws 1878. The arrangement of General Statutes 1866 was retained, but it was necessary to renumber the sections in most chapters.
Laws 1879, chapter 67, provided that these "shall be competent evidence of the several acts and resolutions therein contained in all the courts of this state, without further proof or authentication," and that they are to be cited as "General Statutes 1878."


and


Both of these volumes are merely supplements showing the new laws, the amendments, and the repealed laws of General Statutes 1878. The 1881 edition adds general laws from Laws 1879 and Laws 1881. The 1883 edition adds general laws from Laws 1881 Special Session and Laws 1883. The section numbers of General Statutes 1878 were retained. The 1881 changes are also bound in the third edition, and both 1881 and 1883 changes are also bound in the fourth edition of General Statutes 1879.

Laws Extra Session 1881, chapter 75, stated that the change in the 1881 supplement of General Statutes 1878 made by the laws of 1879 and 1881 "shall be and hereby is made prima facie evidence of the several acts therein contained in all the courts of this State without further proof or authentication." The supplement is to be "cited and designated as '1881 Supplement General Statutes 1878.'" However, there seems to be no similar act for the 1883 supplement.


Laws 1885, chapter 240, authorized and directed the secretary of state to publish the "penal code...in a volume by itself, and to omit said code from the volume of general laws of this session." The attorney general was to supervise the citation of authorities. The Minnesota code is an adaptation of the penal code adopted by New York in 1881.

Numerous amendments and additions were made to the penal code throughout the years without much regard for consistency with prior provisions. However, no major revision was made until 1963. The penal code is included in most compilations between 1885 and 1963.


Volume 1 of this set is merely a reprint of General Statutes 1878. Volume 2, arranged by H. J. Horn, includes subsequent legislation also included in the 1881 and 1883 editions of Changes to the General Statutes plus the general laws in Laws 1885 and Laws 1887. It follows the same chapter, title, and section subdivisions as volume 1. The statutes, according to the preface, "have been most carefully and exhaustively annotated" by Stuart Rapalje. The general index was prepared by the editorial staff of the National Reporter System.


This is an unofficial compilation; it was not enacted. The compiler again changed the numbering; however, references were made to the chapter and title
numbers of prior statutes. This compilation is also based on the General Statutes of 1866 and adds all subsequent general session laws ending with Laws 1889.

Laws 1891, chapter 37, section 1, provided that this compilation "shall be competent evidence of the laws therein contained, in all the courts of this state and in all proceedings, without further proof or authentication." Section 2 stated that "the same may be cited in judicial proceedings as the General Statutes giving the section number only."

Index Digest to All the Laws of the State of Minnesota General and Special Including the Joint Resolutions and Memorials to Congress. By John F. Kelly. St. Paul, the Kelly Law Book Co., 1894.

The preface explains the purpose and use.

This index concentrates all the Minnesota Law, general and special, enacted by the legislature, so that crude, inconsistent and disconnected laws may be apparent and future legislation and interpretation consistent and harmonious. The law now in force is first cited and then the prior, superseded or repealed law relating to the same subject, for the reason that to know the present law, the past law should also be known.

The indexes of the session laws were incomplete and hard to use, so an index of this sort had much value. It included laws, passed from the first territorial session in 1849 through the session of 1893, arranged to show all the law in force as well as the amended, repealed, superseded, and obsolete laws. Tables were included to show the changes made in revisions and compilations so that any general law could be traced to its origin.


This unofficial compilation is again based on General Statutes 1866 and adds all subsequent general session laws ending with Laws 1891 and Laws 1893. It follows the chapter arrangement of General Statutes 1878 with a few changes and additions. Generally the titles of General Statutes 1866 were retained, but a consecutive numbering of sections from beginning to end was adopted. Annotations contained in the General Statutes 1888, volume 2, were preserved and brought up to date. This set was compiled and edited by Henry B. Wenzell, assisted by Eugene F. Lane, with annotations by Francis B. Tiffany and others. The index was prepared by the editorial staff of the National Reporter System.

These statutes were not enacted as such, but Laws 1895, chapter 310, states that they "are hereby declared competent evidence of the several acts and resolutions therein contained in all the courts of this state without further proof or authentication, and shall be known and cited as 'General Statutes, 1894.'"


Laws 1901, chapter 241, provided for the revision and codification of the general laws. Supreme court justices of this state were authorized to appoint a commission of three to revise, codify, and annotate the public statutes. They were also directed to examine and compare the existing laws "together with the judicial interpretation and construction thereof, and to propose and recommend such revision and codification thereof as shall, in their opinion, simplify, harmonize and complete said public statutes of this state." Laws 1903, chapter 157, further provided that all
laws enacted at the extra session 1902 and the regular 1903 session and a list of recommended repeals of special, local, and temporary laws be included.

This is the revision of the laws which the commission presented to the legislature. It is apparently based on General Statutes of 1894 but removes laws subsequently repealed and adds general laws from Laws 1895, Laws 1897, Laws 1899, Laws 1901, Laws 1902 Extra Session, and Laws 1903.


A forty page report, with the spine title "Index" explains the work and the difficulties encountered by commissioners Daniel Fish, Thomas J. Knox, and Milton R. Tyler. It discusses the reasons behind the changes, chapter by chapter. A comprehensive index, which was not included in Revised Laws as reported by the commission, is appended on pages 41 to 458.


This is a complete official revision of the Minnesota statutory law, the first since 1866, and the last until 1941.

The report of the commission, discussed above in Revised Laws of Minnesota 1905 as Reported by the Commission, was presented to the legislature in the form of a single legislative bill without annotations and was subsequently passed with amendments and approved in April 1905. Although enacted in 1905, the revision does not include session laws passed in that year; it includes only those enacted through 1903.

While the commission was authorized to codify the general laws, no attempt was made to write a new and complete code of laws. It is merely a rearrangement and restatement of previously existing statutory law.

Laws 1905, chapter 218, provided that Mark B. Dunnell be appointed commissioner to edit and annotate Revised Laws. He "shall annotate the sections with references to the decisions of the Supreme Court relevant to the particular section and in doing so shall state in a short catch-line the general effect or purport of the decision...." A new consecutive numbering system was adopted. References to session laws and to section numbers of General Statutes 1894 were included where applicable.

Minnesota Statutes 1982, sections 645.03 to 645.06, subdivision 1, state that: Revised Laws 1905 shall not be construed as abrogating any act passed at the 1905 session, all of which, so far as they differ from the Revised Laws, shall be construed as amendatory thereof or supplementary thereto.

The repeal by Revised Laws 1905 of any act, or any part of any act, whether the same be revised or reenacted therein or not, shall not revive any law theretofore or thereby repealed or any office abolished.

The provision of Revised Laws 1905, so far as they are the same as those existing on March 1, 1906, shall be construed as continuations thereof, and not as new enactments; and references in statutes not repealed to provisions of law which are revised and reenacted therein shall be construed as applying to such provisions as so incorporated in the Revised Laws.
Revised Laws 1905, as published, are competent evidence of the laws therein contained, in all the courts of this state, without further proof or authentication.


The title is self-explanatory. The laws are alphabetically arranged by subject headings each of which lists the laws chronologically.


The character of this volume is indicated by its title. It is believed to contain all laws in force, general and permanent, from Laws 1905, Laws 1907, and Laws 1909. It follows the chapter and section numbers of Revised Laws 1905.


This is an official compilation. Laws 1911, chapter 299, provided for the statute compilation commission to provide for the “preparation, compilation, and publication” of the general statutes in force including the session laws of 1913. The arrangement and annotations of the Revised Laws 1905 were retained as far as possible, but a new numbering system, with Revised Laws section number in parenthesis, was used. The compilation adds all subsequent session laws ending with Laws 1911, Laws 1912 Special Session, and Laws 1913. Minnesota Statutes, section 3C.13, provides that this compilation is prima facie evidence of the statutes contained in it in all courts and proceedings. A table showing the allocation of session laws from 1905 to 1913 is appended.


The arrangement of this supplement follows the chapter and subdivision arrangement of General Statutes 1913 but only contains the text of the new laws from Laws 1915, Laws 1916 Special Session, and Laws 1917 inserted in their proper order. Annotations and key numbers of the American Digest System are included. A table showing the allocation of session laws of 1915, 1916, and 1917 is appended.


Laws 1923, chapter 95, created the Minnesota Statutes Compilation Commission consisting of the governor, chief justice of the supreme court, and attorney general, and provided for a new compilation which would include historical documents and brief case annotations. The compilation is based on Revised Laws 1905 and General Statutes 1913 but includes all session laws added by other intervening compilations and adds laws from Laws 1919, Laws 1919 Extra Session, Laws 1921, and Laws 1923. The recompliers had no powers of revision, so the work includes numerous duplications in subject matter. Appropriation acts and temporary acts were omitted, and many purely local acts, technically within the constitutional prohibition against special legislation, were reduced to notes with references to them in the index. A few curative acts were also reduced to notes, but the full text
of many of them was printed. The index of unrepealed general laws from 1866 to 1903 prepared by the Review Publishing Company and described above is reprinted in Appendix II. A table showing the allocation of session laws of 1905, 1907, and 1909 is also appended. The Honorable George Nordlin assisted with annotations. A new numbering system was devised, but references to Laws 1905 and General Statutes 1913 section numbers were inserted.

This compilation, by authority of Minnesota Statutes, section 3C.13, is prima facie evidence of the statutes contained in it in all courts and proceedings. It is an official compilation.


This appendix contains tables of General Statutes 1913 and of the session laws of 1915 through 1923 showing the disposition of each section, whether amended, repealed, omitted, or reduced to a note.

An addendum supplies omissions from General Statutes 1923 and session laws from 1919 through 1923.

Laws 1925, chapter 83, section 2, states that the appendix and addenda "shall be prima facie evidence of statutes therein contained in all the courts of the state without further proof or authentication."


— 1931 Supplement. Covers the acts passed from 1929 through 1931.
— 1934 Supplement. Covers the acts passed from 1929 through 1934.
— Volume 3 - 1936 Supplement. Covers the acts passed from 1929 through 1936.
— Volume 3 - 1938 Supplement. Covers the acts passed from 1929 through 1937.
— Volume 3 - 1940 Supplement. Covers the acts passed from 1929 through 1939.
— Volume 4 - 1941 Supplement. Covers the acts passed in 1941.
— Volume 4 - 1944 Supplement. Covers the acts passed from 1941 through 1943 with pocket supplement through February 1946.

This unofficial compilation was prepared because of a demand for "relief from the defects" of General Statutes 1923. Neither the text nor the numbering system of that 1923 compilation was changed, but a new index and expanded tables were prepared. The 1923 annotations were brought up to date.

The original compilation was based upon General Statutes 1923 and adds laws from Laws 1925 and Laws 1927. The 1931 Supplement includes laws from Laws 1929 and Laws 1931. The 1934 Supplement includes laws from Laws 1933 and Laws 1933-1934 Extra Session. The 1936 Supplement replaced the 1931 and 1934 Supplements and adds laws from Laws 1935 and Laws 1935-1936 Extra Session. The 1938 Supplement replaced the 1936 Supplement and adds laws from Laws 1937 Including 1936 Extra Session. The 1940 Supplement replaced the 1938 Supplement and adds laws from Laws 1939. The 1941 Supplement did not replace the 1940 Supplement but only included laws from Laws 1941. The 1944 Supplement replaced the 1941 Supplement and adds laws from Laws 1943. The pocket parts to the 1944 Supplement first added laws from the 1944 extra session, then the 1945 regular session found in Laws 1945 Including 1944 Extra Session.
PREFACE

The Citer-Digest Company took the assignment from the state contract authorizing the Review Publishing Company to publish the statutes. William H. Mason acted as editor in chief.

Minnesota Statutes, section 3C.13, states "Mason's Minnesota Statutes 1927...are prima facie evidence of the statutes contained in them in all courts and proceedings." Similar effect was given to the supplements issued in 1931, 1934, 1936, 1938, and 1940, but the supplements of 1941 and 1944 were neglected by legislative action, presumably because the state had begun publishing Minnesota Statutes in 1941. Supplement volumes 3 and 4 include conveyancing forms and an update to Stalland's Minnesota Curative Acts.


A curative act is a form of retrospective legislation passed in order to validate legal proceedings which would otherwise be void because of defects or irregularities. It operates to accomplish a result which the parties intended but failed to accomplish. Examples of curative acts are acts validating taxes levied or bonds issued by a town without authority and acts validating mortgage foreclosure sales in which there were procedural defects.

In the preface, Stalland wrote:

Practically the only Curative Acts having perpetuity are those affecting directly or indirectly the title to real estate. In the following table I have attempted to set forth reference to all such Curative Acts since Minnesota became a State. Those Curative Acts having bearing on real estate titles comprise about 80% of all the Curative Acts passed by the Legislature.

The book was designed to aid those examining title to real estate by furnishing a quick guide to acts which cured defects that had been the subject of dispute in actions, such as those to quiet title. The table of contents is divided into three topics: subject, specific defects, and local and special acts. Material under each of the topics is arranged in alphabetical order.


Minnesota Statutes 1941. Edited by William B. Henderson, Duncan L. Kennedy, and Jessie E. Scott. Published by the State of Minnesota [1942].

The Office of Revisor of Statutes was created by Laws 1939, chapter 442, to make a topical, continuous revision of the statutes. The revisor's powers are enumerated in Minnesota Statutes, sections 3C.02 and 3C.10; duties, prohibitions, and limitations are found elsewhere in chapter 3C. Using Revised Laws of Minnesota 1905 as a basis and adding all subsequent session laws through 1941, the annotations, notes, and index were prepared completely independently of Mason's Minnesota Statutes. Unnecessary sections, private and local acts, obsolete sections, duplications, and sections declared unconstitutional were deleted. A new decimal classification system allowing for expansion was adopted.

Minnesota Statutes 1982, section 645.06, subdivision 5, states that "Minnesota Statutes 1941, when published shall be prima facie evidence of the statutes therein contained, in all the courts of this state, without further proof or authentication; but shall not preclude reference to, nor control, in case of any discrepancy, any original act of the legislature."
Minnesota Statutes 1941 was not enacted because of the many errors and omissions. Therefore, it is not an official revision.

Laws 1943, chapter 545, directed the revisor to "prepare a supplement to Minnesota Statutes 1941" correcting the errors and adding certain tables. Upon approval by the attorney general "all statutes and acts set forth in the supplement shall be prima facie evidence of the provisions therein contained without further proof or authentication." Not all of the provisions of this act were carried out. Only some of the tables were prepared, and these were printed in the Report of the Revisor of Statutes for 1945. (See below)

Report of Revisor of Statutes to the Senate and House of Representatives of the State of Minnesota. Published pursuant to Laws 1939, 1941.

This report sets forth the general purpose and duties of the office, the policy in regard to bill drafting, and recommendations, together with an explanation and listing of the new classification system. Appendices add material on copyrights, revision procedures and notes, general rules, words and phrases, references, style, and a suggested bill relating to the interpretation of statutes.

[Minnesota Revised Statutes 1943] (unpublished)

The revisor was directed by Laws 1943, chapter 545, section 2, to prepare "a revised codification of all the general laws of the state in force at the close of the 1943 session...based in general on Minnesota Statutes 1941 and the supplement thereto...." The revisor was to "make such changes in language and arrangement as he deems necessary to consolidate, clarify, simplify, and codify the statutes...." Section 3 of the act directed the revisor, with the advice and assistance of the attorney general, to prepare a bill for the enactment of the codification. The revision was enacted as the Minnesota Revised Statutes. The act was approved March 8, 1945. This act was not included in the session laws but was printed in the preface of Minnesota Statutes 1945 and all subsequent editions through 1978. In the 1980 and subsequent editions it is separately set out with the historical documents. Minnesota Revised Statutes was never published; it can only be found in the office of the secretary of state.


This report contains some of the tables which the revisor was directed by Laws 1943, chapter 545, to prepare for a supplement to Minnesota Statutes 1941, showing which chapters of the 1943 laws were compiled into the statutes and which structural changes were made.

Minnesota Statutes 1945. Published by the State of Minnesota [1946].

This official compilation contained the "Minnesota Revised Statutes" of 1943, which was enacted but not published (as explained previously) and the session laws included in Laws 1945 including 1944 Extra Session. The statutes were not enacted in this form, however.

Minnesota Statutes, section 3C.07, provides that the "laws contained in Minnesota Revised Statutes are continuations of the acts from which compiled and are not new enactments."

Biennial publications of the statutes, conforming to Minnesota Statutes 1945 and retaining the same titles and chapter and section numbers, were to be prepared by the revisor of statutes as directed by Laws 1945, chapter 462 (current version at Minnesota Statutes, section 3C.08). They were published quadrennially from 1945 through 1965. From 1967 to date, biennial compilations have been published with
intervening supplements since 1973. Each incorporates the session laws and deletes repealed sections to the date of publication.

Minnesota Statutes, section 3C.13, states that "Any volume of Minnesota Statutes, supplement to Minnesota Statutes, and Laws of Minnesota certified by the revisor...is prima facie evidence of the statutes contained in it in all courts and proceedings."

A table of corresponding sections of Minnesota Statutes 1945, Revised Laws 1905, and Mason's Minnesota Statutes 1927 was included in the 1941 and 1945 editions.

Annotations to Minnesota Statutes...Embracing Complete Legislative History of the Minnesota Statutes, Full Explanatory Notes by the Revisor, and Annotations Through Volume 218 of Minnesota Reports. Edited by Wm B. Henderson, D. L. Kennedy, Gertrude W. Thoren. Published by the State of Minnesota, 1945.

—Vol. 3 - 1947.
—Vol. 4 - 1953.

The revisor of statutes was directed between 1939 and 1945 to prepare annotations to Minnesota Statutes. The arrangement follows the same order as the statutes. Information is given relating to origin and history of each section, to digests of Minnesota Supreme Court decisions, federal decisions relative to the statutes, opinions of the attorney general, law review articles, and references to text books and other sources of law. The annotations are based on original research. Publication of these official annotations was discontinued by Laws 1957, chapter 466.


This is an unofficial compilation and arrangement of the statutes in the same form and order as Minnesota Statutes. Comprehensive annotations are inserted at the end of each section giving history, research aids, citations to periodical articles, and digests of cases and attorney general opinions. Annotated court rules and tables and indexes are also included. Replacement volumes, annual pocket parts, and intervening supplements are provided to keep this set up to date.

Minnesota Statutes 1949. Published by the State of Minnesota, [1949].

This official compilation is the same, generally, as prior editions. It is based upon Minnesota Statutes 1945 but removes those sections subsequently repealed and adds general laws included in Laws 1947 and Laws 1949.

Minnesota Statutes 1953. Published by the State of Minnesota, [1954].

This official compilation is the same, generally, as prior editions. It is based upon Minnesota Statutes 1949 but removes those sections subsequently repealed and adds general laws included in Laws 1951 and Laws 1953.

Minnesota Statutes 1957. Published by the State of Minnesota, [1958].

This official compilation is the same, generally, as prior editions. It is based upon Minnesota Statutes 1953 but removes sections subsequently repealed and adds general laws included in Laws 1955 and Laws 1957. It also contains, under Table 3, 1955-1957 Local Acts, a listing of the 1955 and 1957 acts appearing to apply to certain governmental subdivisions. The subdivisions are listed alphabetically, with a brief statement of the nature of the act and the session law citation.

Minnesota Statutes 1961. Published by the State of Minnesota, [1962].

This official compilation is the same, generally, as the previous editions. It is based upon Minnesota Statutes 1957 but removes sections subsequently repealed
and adds general laws included in Laws 1959 Including 1958 and 1959 Extra Sessions and Laws 1961 and Extra Session. Also the municipal court acts of cities of the first class are included for the first time.

**Minnesota Statutes 1965. Published by the State of Minnesota.**
This official compilation is the same, generally, as the previous editions. It is based upon Minnesota Statutes 1961 but removes sections subsequently repealed and adds general laws included in Laws 1963 Including 1961 Second Extra Session and Laws 1965.

**Minnesota Statutes 1967. Published by the State of Minnesota.**
This official compilation is the same, generally, as the previous editions. It is based upon Minnesota Statutes 1965 but removes sections subsequently repealed and adds general laws included in Laws 1967 Including 1966 and 1967 Extra Sessions.

**Minnesota Statutes 1969. Published by the State of Minnesota.**
This official compilation is the same, generally, as the previous editions. It is based upon Minnesota Statutes 1967 but removes sections subsequently repealed and adds general laws included in Laws 1969.

**Minnesota Statutes 1971. Published by the State of Minnesota.**
This official compilation is the same, generally, as the previous editions. It is based upon Minnesota Statutes 1969 but removes sections subsequently repealed and adds general laws included in Laws 1971 and Extra Session.

**Minnesota Statutes 1973 Supplement. Published by the State of Minnesota.**
This official compilation only supplements Minnesota Statutes 1971. The supplement identifies sections or subdivisions that were repealed and adds general laws included in Laws 1973.

**Minnesota Statutes 1974. Published by the State of Minnesota.**
This official compilation is the same, generally, as previous editions. It is based upon Minnesota Statutes 1971 but removes sections subsequently repealed and adds general laws included in Laws 1973 and Laws 1974.

**Minnesota Statutes 1975 Supplement. Published by the State of Minnesota.**
This official compilation only supplements Minnesota Statutes 1974. The supplement identifies sections or subdivisions that were repealed and adds general laws included in Laws 1975.

**Minnesota Statutes 1976. Published by the State of Minnesota.**
This official compilation is the same, generally, as previous editions. It is based upon Minnesota Statutes 1974 but removes sections subsequently repealed and adds general laws included in Laws 1975 and Laws 1976.

**Minnesota Statutes 1977 Supplement. Published by the State of Minnesota.**
This official compilation only supplements Minnesota Statutes 1976. The supplement identifies sections or subdivisions that were repealed and adds general laws included in Laws 1977.

**Minnesota Statutes 1978. Published by the State of Minnesota.**
This official compilation is the same, generally, as previous editions. It is based upon Minnesota Statutes 1976 but removes sections subsequently repealed and adds general laws included in Laws 1977 and Laws 1978. The typographic form of
the court rules was changed from a six point double column format to a nine and one-half point single column format that is similar to the statutes.

Minnesota Statutes 1979 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1978. The supplement identifies sections or subdivisions that were repealed and adds general laws included in Laws 1979 and Extra Session Laws 1979.

Minnesota Statutes 1980. Published by the State of Minnesota.

This edition is based on Minnesota Statutes 1978 incorporating Laws 1979, Extra Session Laws 1979, and Laws 1980. In it, the revisor's office made significant editorial changes based upon a user survey and a study to determine the best format. The typography and format of statutes were significantly improved; the index was corrected and improved; a cross-reference table was added; the proposal of style and form redrafts of statutes by the revisor was reemphasized. All these changes are described in full in Part III of the preface to the 1980 edition.

Minnesota Statutes 1981 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1980. The supplement identifies sections or subdivisions that were repealed and adds general laws included in Laws 1981 and 1981 1st and 2nd Special Sessions.

Minnesota Statutes 1982. Published by the State of Minnesota.

This edition is based on Minnesota Statutes 1980 incorporating Laws 1981 and 1981 1st and 2nd Special Sessions and Laws 1982 with 1981 3rd Special Session and 1982 1st and 2nd Special Sessions. In it, the revisor's office continued its work to improve the utility of the statutes. Table I, the local law table, was expanded to include all local laws dating back to 1893; the selling price was significantly reduced; the method of supplementation was altered; the format of the court rules was improved; several crowded chapters and sections were recodified; and further improvements were made to the index. All of these changes are described in full in Part III of the preface of the 1982 edition.

Minnesota Statutes 1983 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1982. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1983 Including 1982 3rd Special Session.

Minnesota Statutes 1984. Published by the State of Minnesota.

This edition is based on Minnesota Statutes 1982 incorporating Laws 1983 Including 1982 3rd Special Session and Laws 1984. Improvements in this edition included the further expansion of Table I to include local laws dating back to 1849; the addition of Table V listing administrative rules adopted under authority of the statutes; several revisions, codifications, and recodifications to text; and various index improvements. All of these changes are described in full in Part III of the preface of the 1984 edition.

Minnesota Statutes 1985 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1984. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1985 Including 1985 First Special Session.
Minnesota Statutes 1986. Published by the State of Minnesota.

This edition is based on Minnesota Statutes 1984 incorporating Laws 1985 including 1985 First Special Session and Laws 1986 including 1986 First Special Session. Perhaps the most comprehensive change in the statutes in many years is found in this edition. All text of the statutes is revised from gender-specific to gender-neutral language under directive of the legislature. Known as the Gender Revision of 1986, the revised text was amended and enacted by Laws 1986, chapter 444. The same act also gave the revisor ongoing authority to remove gender-specific terms from the statutes. In addition, the 1986 statutes contained several new codifications, recodifications of existing laws, and index improvements. All of these changes are described in full in Part III of the preface of the 1986 edition.

Minnesota Statutes 1987 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1986. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1987 and 1987 First Special Session.

Minnesota Statutes 1988. Published by the State of Minnesota.

This edition is based on Minnesota Statutes 1986 incorporating Laws 1987 and 1987 First Special Session and Laws 1988. Improvements in this edition range from simple to complex rearrangement of language, recodification and renumbering, changes in terminology, and corrections to erroneous cross references. Laws passed in 1987 and 1988 assigned the revisor the tasks of producing a new index to the statutes and assigning chapter numbers to enrolled acts. All of these changes are described in full in Part III of the preface to the 1988 edition.

Minnesota Statutes 1989 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1988. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1989.

Because the legislature met in special session after publication of the regular supplement, a special pamphlet was later published containing changes by repeal, amendment, or addition passed in the special session. This pamphlet was entitled Minnesota Statutes Second 1989 Supplement.

Minnesota Statutes 1990. Published by the State of Minnesota.


This edition contains extensive recodification of the water law. In addition, selected sections relating to tax provisions were renumbered into chapter 289A and all permanent local special levies were codified. A concerted effort was made to improve chapter titles and main division headings.

Minnesota Statutes 1991 Supplement. Published by the State of Minnesota.

This official compilation only supplements Minnesota Statutes 1990. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1991.
Minnesota Statutes 1992. Published by the State of Minnesota.

This edition contains many changes in the text directed by the legislature pursuant to instructions to the revisor. The changes include rearrangement of language, recodification and renumbering, and changes in terminology. A thumbcut was added to the court rule volume for the rules for judicial record access. The 1992 edition also reflects a change in the manner of pagination, with each volume paged separately. The purpose of the change was to facilitate more timely composition of the set.

Minnesota Statutes 1993 Supplement. Published by the State of Minnesota.
This official compilation only supplements Minnesota Statutes 1992. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1993 and 1993 First Special Session.

Minnesota Statutes 1994. Published by the State of Minnesota.

The 1994 edition expanded the set from 10 to 15 volumes. The expansion accommodated the ever-growing bulk of the statutory text, as well as the completion of an entirely new index to the set.

For the new index, the statutes were examined in much greater depth and detail than before and entries were made for nearly every concept in the text of the statutes. In addition to the new index, the 1994 edition contained many changes in text resulting from instructions to the revisor enacted in 1993 and 1994. Section 3C.13, listing instructions to the revisor in a footnote, was expanded in the 1994 edition to include complete citations to the session laws containing the instructions, as well as brief explanations of what each instruction directed the revisor to do. The court rule volume, volume 15 of the set, contained a new thumbcut "Sentencing Guidelines."

Minnesota Statutes 1995 Supplement. Published by the State of Minnesota.
This official publication only supplements Minnesota Statutes 1994. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1995 and 1995 First Special Session. Sections affected by revisor's instructions were included as far as practicable.

Minnesota Statutes 1996. Published by the State of Minnesota.

Several sections in the education subject area were renumbered to reflect the reorganization of duties under the new Department of Children, Families, and Learning. Additional changes in the education area were implemented to reflect the reorganization of duties within the department and State Board of Education. A number of other changes stemming from instructions to the revisor also appear throughout the text. A summary of the 1995 and 1996 revisor instructions can be found in the footnote following section 3C.13.

Minnesota Statutes 1997 Supplement. Published by the State of Minnesota.
This official publication only supplements Minnesota Statutes 1996. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1997 and 1997 First and Second Special Sessions. This edition contains recodifications of liquor and tobacco product taxation statutes. Sections affected by revisor's instructions were included as far as practicable.

**Minnesota Statutes 1998. Published by the State of Minnesota.**


The K-12 education code, landlord-tenant statutes, and fuel tax statutes were recodified in this edition. The revisor also capitalized the names of state acts and codes throughout the set. See Part III of the preface to the 1998 edition for a summary of other changes.

**Minnesota Statutes 1999 Supplement. Published by the State of Minnesota.**

This official publication only supplements Minnesota Statutes 1998. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 1999.

**Minnesota Statutes 2000. Published by the State of Minnesota.**


This edition includes recodification of the driving while impaired crimes and related provisions into a new chapter 169A. Sales and use tax laws were recodified in chapter 297A and insurance tax laws were recodified into chapter 297I. Data practices law in chapter 13 was also recodified. Other changes directed by the legislature in revisor's instructions are reflected in this edition.

**Minnesota Statutes 2001 Supplement. Published by the State of Minnesota.**

This official publication only supplements Minnesota Statutes 2000. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 2001 and 2001 First Special Session. Sections also affected by revisor instructions were included as far as practicable.

**Minnesota Statutes 2002. Published by the State of Minnesota.**

This edition is based on Minnesota Statutes 2000, incorporating Laws 2001 and 2001 First Special Session and Laws 2002.

This edition included several recodifications directed by the legislature, among them the recodification of the Higher Education EdVest Savings Program (renamed the Minnesota College Savings Program) from chapter 136 to 136G. Other changes directed by the legislature in revisor instructions were implemented in this edition.

**Minnesota Statutes 2003 Supplement. Published by the State of Minnesota.**

This official publication only supplements Minnesota Statutes 2002. The supplement, published in pocket part format, identifies sections or subdivisions that were repealed and adds general laws included in Laws 2003 and 2003 First Special Session. Sections affected by revisor instructions were included as far as practicable. The Minnesota Human Rights Act was recodified from chapter 363 to 363A and other smaller portions of the statutes were recodified as directed.

**Minnesota Statutes 2004. Published by the State of Minnesota.**
PREFACE


The size of the 2004 set was reduced from 15 to 14 volumes, accomplished through efforts to condense the statute index. In addition, the court rule and index volumes were bound in soft, rather than hard, cover format. Both initiatives were a response to budget constraints, and resulted in cost savings.

The 2004 edition also contained the implementation of an in-house effort to add subdivision headnotes where none previously existed, and updates in capitalization resulting from new writing standards. Other changes directed by the legislature in revisor instructions were also implemented in this edition.

Minnesota Statutes 2005 Supplement. Published by the State of Minnesota.

This official publication only supplements Minnesota Statutes 2004. The supplement identifies sections or subdivisions that were repealed and adds general laws included in Laws 2005 and 2005 First Special Session. Because the revisor was planning a major conversion to a new computer system for the 2006 legislative session, many instructions to the revisor directing statutory changes were not included in the 2005 supplement. The decision to delay implementation of these changes was made in order to facilitate the data conversion needed for the new system as early as possible before the start of the 2006 session.

Minnesota Statutes 2006. Published by the State of Minnesota.


Because the size of the statutes as a whole resulted in several large volumes unable to accommodate a supplement printed in pocket part format, the 2006 edition was expanded to 15 volumes. Tables, index, and court rules were printed in three soft cover volumes, with the statute text in 12 hard cover volumes. Volume breaks were also reconfigured. The expansion of the text into 12 full volumes addressed the supplement issue as well as made the handling of individual volumes less cumbersome.

The 2006 edition contained the implementation of several major codifications and recodifications directed in 2005 and 2006 revisor instructions. For example, the child support provisions of chapter 518 were recodified into chapter 518A, Anoka County laws were codified as chapter 383E, and several other provisions were also recodified.

The 2006 edition also reflected the implementation of Laws 2005, chapter 136, article 14, section 18, which directed the revisor to create a chapter in Minnesota Statutes that contains cross-references to Minnesota laws imposing collateral sanctions. Minnesota Statutes, chapter 609B, was created to provide users of the statutes with quick access to collateral sanctions by organizing the collateral sanctions into user-friendly categories under which cross-references fitting the category were placed.

Finally, because the information is readily available elsewhere, Table III, the organization and structure of state government, was eliminated from the 2006 edition.

Minnesota Statutes 2007 Supplement. Published by the State of Minnesota.

This official publication only supplements Minnesota Statutes 2006. The supplement identifies sections and subdivisions that were repealed and adds general and permanent laws included in Laws 2007 and 2007 First Special Session. To the
extent practical, sections affected by revisor's instructions were included. Major
renumbering of the construction codes and licensing provisions were delayed until
the full 2008 edition of Minnesota Statutes as provided by Laws 2007, chapter 140,
article 13, section 4. An explanatory note was added before the new chapter 326B.

Minneapolis Statutes 2008. Published by the State of Minnesota.

Minnesota Statutes 2008 is based on Minnesota Statutes 2006, incorporating
at 15 volumes, with the statutes text printed in 12 hard cover volumes and the ta-
bles, index, and court rules with indexes printed in three soft cover volumes. Revi-
sor's instructions from 2007 and 2008 were implemented, including completing the
renumbering and cross-references to the new chapter 326B construction codes and
licensing provisions, and changing references to the director of the Office of Strate-
gic and Long-Range Planning to reflect the duties of the chief administrative law
judge with respect to boundary adjustments. In addition, references to the commis-
sioner or Department of Employee Relations were changed to the commissioner or
Department of Finance. Using a word frequency list, inconsistent spellings were
corrected to reflect the Merriam-Webster Online Collegiate Dictionary.

Volume 15, the court rules, was composed in-house by revisor staff.

Minnesota Statutes 2009 Supplement. Published by the State of Min-
nesota.

This official publication supplements Minnesota Statutes 2008. The supple-
ment identifies sections and subdivisions that were repealed and adds general and
permanent laws included in Laws 2009. To the extent practical, sections affected
by revisor's instructions were implemented, including the name change from the
commissioner or Department of Finance to the commissioner or Department of
Management and Budget in those sections that appeared in the supplement.

In chapter 256L, which has many contingent effective dates, the normal edit-
ing procedure was changed to begin showing the text of sections with 2009 amend-
ments with contingent effective dates as notes to aid the reader.

The supplement was composed in-house by revisor staff.

III - CHANGES IN THIS EDITION

Minnesota Statutes 2010 is based on Minnesota Statutes 2008, incorporating
Laws 2009, Laws 2010, and Laws 2010 First and Second Special Sessions. The edi-
tion remains at 15 volumes with the statutes text printed in 12 hard cover vol-
umes and the tables, indexes, and court rules with indexes printed in three soft cover
volumes.

The revisor's instructions from 2009 and 2010 were implemented, including a
revisor's instruction from the 2010 legislative session changing references to the
crimes of harassment and stalking. The change of the name of the commissioner
or Department of Finance to the commissioner or Department of Management and
Budget was completed. The provisions of Minnesota Statutes, chapter 82, were
reorganized for administrative convenience.

The change in editing policy for chapter 256L by showing 2010 amendments
to that chapter with contingent effective dates as notes was continued.

With the concurrence of the Supreme Court, cites to Minnesota Statutes, Laws
of Minnesota, and Minnesota Rules were changed in the Court Rules, volume 15,
to correspond to the form of cites in the statutory text.

A transcript of the original Federal Constitution and the original Bill of Rights
from the United States National Archives and Records Administration was substi-
in the transcript that has since been modified or superseded by amendments was italicized and notes were added to direct the reader to the applicable constitutional amendment. The same procedure was used for constitutional amendments that have been modified or repealed by subsequent amendments.

To more effectively alert the reader to notes after the text of sections, the phrase "See note." was added at the end of each subdivision of a section that has a note relevant to that subdivision or a part of that subdivision. The actual note remains after the section and section history.

A project to ensure completeness of amendments, repeals, and other action to Local Special Acts contained in Table I of the statutes was completed.

Table IV, the Statutory Authority for Administrative Rules, was deleted from Minnesota Statutes as the same table also appears in Minnesota Rules.

Notes were added to notify the reader of sections or parts of sections that have been declared unconstitutional by a state or federal court opinion with precedential effect. The phrase "See note." appears after a subdivision if the case is relevant to that subdivision or a part of that subdivision. The holding and the case is cited in the note following the section and the section history.

Finally, for the first time, the entire statutes, court rules, tables, and indexes were composed in-house by revisor staff.

**IV - USER'S GUIDE**

**STATUTORY CONTENTS.** Minnesota Statutes contains general and permanent laws in force or yet to take effect in Minnesota as enacted through the 2010 session and 2010 First and Second Special Sessions of the legislature. It generally does not contain special laws, local laws, proposed constitutional amendments, appropriation acts, curative and validating acts, and temporary acts. However, laws relating to the counties of Hennepin, Ramsey, Saint Louis, Dakota, and Anoka are contained in the publication. A few temporary and local laws have been included because of the general interest in them. All laws not included in Minnesota Statutes can be found in Laws of Minnesota, in the volumes published in the year of their enactment.

The revisor does not pass upon questions of law arising from the enactment of session laws. The session laws are integrated into Minnesota Statutes in accordance with statutory mandate. The revisor has no authority to pass upon whether a statute has been repealed by implication. Therefore, many sections or parts of sections are retained in Minnesota Statutes which the legislature may have intended to repeal. Neither does the revisor determine the legal effect of conflicting amendments to the same section of the statutes. (For further explanation of treatment of conflicting amendments, see page xxxvi). The revisor also does not judge the constitutionality of a statute or its passage, so, except for a note to alert the reader, laws remain in Minnesota Statutes until the legislature modifies or repeals them, even if a court decides that a provision is unconstitutional.

The text in the 2010 edition is based on editorial integration by the revisor's staff of changes in the 2008 edition by laws enacted by the legislature in 2009 and 2010.

**ARRANGEMENT.** The statutes are divided into several general subject areas, and, in turn, the subject areas are divided into chapters. The subject area and chapter divisions serve to keep logically related material together. This successive breakdown of the statutes can best be seen in the table of chapters at the front of each volume. A chapter is divided into sections, and a section may be divided into
subdivisions. Within chapters, sections are arranged in a logical sequence. For example, definitions applicable to a whole chapter are generally placed at the beginning of the chapter. Each chapter begins with a chapter analysis, which is a listing of each section in the chapter that currently contains statutory material, along with a heading that summarizes the contents of the section. Some chapters and chapter analyses contain editor's headings that point out the major subject areas within the chapter.

**NUMBERING.** Except for uniform acts, Minnesota Statutes is arranged in a decimal numbering system. The number to the left of the decimal point is the number of the chapter in which the section is located. The number to the right assigns a unique number to each section in the chapter.

If a section is removed from Minnesota Statutes either because it has been repealed or for some other reason, its number is retained in Minnesota Statutes and an explanation is given for the removal of the section. For example, a repeal is shown as follows:

12.56 [Repealed, 1978 c 762 s 9]

The reference means that section 12.56 was repealed at the 1978 legislative session and that the action is found in Laws of Minnesota 1978, chapter 762, section 9.

Sometimes, a section is renumbered. A renumbering will be shown as follows:

1.18 [Renumbered 1.049]

This reference means that the text which formerly appeared as section 1.18 will now appear as section 1.049.

Occasionally too, the number of a section which has been removed from the statutes is reused. Reuse of a section number is shown by use of the same section number twice. The first entry will carry the notation of a repeal or renumbering in the form shown previously, along with a citation to the last edition of the statutes where the text appeared in full. The second entry then shows the current text of the section.

**FINDING THE LAW.** There are several ways for a user who does not know the correct section number of a statute to find a specific topic.

If the user knows the session law citation for a law and if the law was passed within the year of publication of the current edition of Minnesota Statutes or the preceding year, the user should turn to Table II in volume 13. Table II, an allocation of acts, lists laws published for the first time in the current edition of Minnesota Statutes. It lists the session law reference of an act followed by the statutory coding assigned to the session law.

A user who does not know the number of the section that contains the information sought and does not have a recent session law reference to the topic can still find a section of Minnesota Statutes that deals with the topic by using the general index which is located in volumes 13 and 14. A specific guide for using the statutory index appears in the index volumes. Using the index may be the most common and easiest way to find a statute. Alternatively the user may turn to the table of chapters at the beginning of each volume containing statutory text to find what seems to be a likely chapter for the information sought, then turn to the chapter analysis at the beginning of the appropriate chapter, and skim the headings to determine if a section is relevant.

A word search of Minnesota Statutes or Laws of Minnesota can also be done on the legislative Web site (www.leg.mn).
HEADNOTES. At the beginning of each section of the statutes, immediately following the section number, there is a word or phrase in boldface capital letters. This word or phrase, called a headnote, is intended to be a catch-word or phrase to indicate the contents of the statute. Except in the case of the Uniform Commercial Code, the headnote is not a part of the law.

Subdivisions of sections also have headnotes. Subdivision headnotes are printed in boldface upper and lowercase letters and reflect the specific contents of the subdivision.

HISTORY. Under each section there is a boldface entry headed "History" followed by a note in italic type. The note shows the legislative history of each section beginning with Revised Laws 1905. For laws originally enacted in 1905 or later, the history note shows the session law that originally enacted the section and any session law which amended it. References to the session laws are in chronological order. Preceding the session law references, some history sections include a number in parentheses. This number refers to the location of the section in Mason's Minnesota Statutes of 1927 and its supplements. The following is a typical history note:

History: (3855-5) 1931 c 344 s 5

The note means that the law was originally enacted in 1931 and that the text of the original enactment appears in Laws of Minnesota 1931, chapter 344, section 5. Since the history note refers to only the session laws for one year, the law has not been amended. The history note also indicates that the law appears as section 3855-5 in Mason's Minnesota Statutes of 1927 or a supplement to it.

The abbreviations used in history notes have the following meanings:

art......article
Ex........extra session of the legislature
pt.......part
RL.......Revised Laws, 1905
s........section
Sp........special session of the legislature
subd.....subdivision

The use of the abbreviations "Ex" and "Sp" do not indicate a substantively different source. "Ex" refers to sessions called by the governor prior to 1981 and "Sp" to sessions since then. A number preceding "Ex" or "Sp" indicates the extra or special session in which the law was enacted.

NOTES. Throughout Minnesota Statutes, editor's notes appear wherever special information about a chapter, section, or subdivision will aid the reader's understanding. Notes usually call a reader's attention to a delayed effective date, delayed repeal of a section, or conflicting amendments to a section or subdivision.

CONFLICTING AMENDMENTS. When compiling Minnesota Statutes, the revisor sometimes encounters multiple amendments to the same provision of existing law that overlook each other. For the purpose of making editorial decisions, the revisor follows the provisions of Minnesota Statutes, section 645.33. For editorial purposes, amendments can be "construed together" and "effect given to each" when both amendments can be simultaneously inserted and the result makes sense. If, however, the amendments both alter the same words so that printing one amendment precludes printing the other, or if both can be printed but the result is unintelligible, then the last amendment is printed in the standard statutory text. The conflicting amendment is pointed out in a footnote, and the text of the section, if
that conflicting amendment were given effect, is also shown in the footnote. Users of the statutes are cautioned that resolutions of conflicts are legal issues, not just editorial issues. The revisor's editorial decision on how to resolve the problems should not be regarded as dispositive of any legal issue.

The revisor brings conflicts to the legislature's attention for resolution at the next legislative session.

If a user wants to find out if the legislature has resolved a conflicting amendment shown in a footnote, the user should turn to Table I in the session laws. Table I lists session laws amended or repealed during a legislative session and reflects whether an amendment reported in a footnote has been acted upon. For example, if a conflicting amendment appears in a footnote in the 2008 edition of Minnesota Statutes, but is absent from the 2010 edition, the user should turn to Table I in the session laws of 2009 and 2010 to find out what law repealed the amendment contained in the footnote. A cumulative Table I of session laws amended or repealed can be found on the legislative Web site (www.leg.mn).

**DOCUMENTS.** Minnesota Statutes, volume 1, contains copies of the following documents relating to the government of the state: the Northwest Ordinance of 1787, the Organic Act of Minnesota—the Act to Establish the Territorial Government of Minnesota, the Act Authorizing a State Government, the Act of Admission to the Union, and the Constitution of the State of Minnesota. It also contains the United States Constitution, the University Charter, and the law adopting the compiled laws and statutes of Minnesota.

**TABLES.** Volume 13 contains a number of tables. Table I lists those laws relating to particular local courts or local governmental units, enacted from 1849 to 2010, and not coded in Minnesota Statutes. Minnesota Statutes, section 3C.08, does not require that local laws be published in Minnesota Statutes. Table I does not show whether a local unit of government ever approved a local law for which local approval was required. That information may be found in a table in Laws of Minnesota, in a volume published in the year the law was enacted or within two years thereafter.

Table II converts to a statutory number the session law citation of an act published in the current edition of Minnesota Statutes for the first time.

Table III is an internal cross-reference table. It shows for each section of Minnesota Statutes a list of the other statutory sections which cite that section.

**INDEX.** The index to Minnesota Statutes appears in volumes 13 and 14. Users should consult the complete user's guide to the index printed in the index volumes.

**COURT RULES.** Minnesota Statutes, volume 15, contains all of the court rules used in the Minnesota state courts. Included are the following:

- Criminal Procedure
- Sentencing Guidelines
- Civil Procedure
- Evidence
- Miscellaneous
- Record Access
- General Rules of Practice
- District Court Special Rules
- Juvenile Court
- Appellate Procedure
- Professional Rules
PREFACE

The rules contain the court orders, notes, and comments of the drafters. The indexes are contained after each main rule topic.

CITATION. This edition is cited as Minnesota Statutes 2010. A section and subdivision would be cited as Minnesota Statutes 2010, section 123.45, subdivision 6.

SUPPLEMENTATION. Minnesota Statutes will be supplemented in 2011 by Minnesota Statutes 2011 Supplement. Supplements for volumes 1 to 12 will be pocket parts. Volumes 13 to 15 will be supplemented in pamphlet form. The supplement will contain general and permanent laws enacted during the 2011 legislative session. Purchasers of Minnesota Statutes 2010 will automatically receive the 2011 Supplement.

STATUTORY CONSTRUCTION. Chapters 3C and 645 of Minnesota Statutes contain statutory provisions governing the construction and publication of statutes in Minnesota. Familiarity with those chapters will help the user to read and interpret Minnesota Statutes.

RELATION OF MINNESOTA STATUTES TO MINNESOTA STATUTES ANNOTATED. This publication is editorially separate from Minnesota Statutes Annotated published by Thomson Reuters/West. Thomson Reuters/West has permission to use the same compilation format as this official set. Great care is exercised by both staffs to ensure that there are no discrepancies between the two publications in the text of the law. A user who finds a discrepancy should immediately bring it to the attention of the editors of both publications.

IF YOU FIND AN ERROR. If you find an error in this publication or if you have questions or comments, please contact the Office of the Revisor of Statutes at (651) 296-2868 or send e-mail to martha.rhode@revisor.mn.gov

V - ACKNOWLEDGMENTS

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