

CHAPTER 3

THE LEGISLATURE

3.01 SESSIONS.

NOTE: The legislative process. 30 MLR 653.

Legislative reference service. 30 MLR 674.

Legislative procedure and processes. 31 MLR 161.

To change to annual sessions, or to limit the number of days of the session requires a vote of the people. 1944 OAG 283, March 16, 1943 (280).

Validity of lobbying contracts. 14 MLR 163, 179.

Nebraska's unicameral legislature. 22 MLR 60.

Legislative crimes. 23 MLR 134.

Is referential legislation worth while? 25 MLR 261.

Legislative bill drafting. 31 MLR 103.

3.06

HISTORY. Amended by L. 1947, c. 233, s. 1.

3.07

HISTORY. Amended by L. 1947, c. 233, s. 2.

3.08

HISTORY. Amended by L. 1947, c. 233, s. 3.

3.081 JURY EXEMPTION.

HISTORY. L. 1947, c. 233, s. 4.

3.09

HISTORY. Amended by L. 1947, c. 233, s. 5.

3.10 COMPENSATION AND MILEAGE OF MEMBERS.

Based upon the holding in state ex rel v Scott, 105 M 513, 117 NW 845, 1044, a representative may run for reelection notwithstanding the legislature at the last session increased the salary of the house members. 1942 OAG 282, April 10, 1944 (280-G).

Members are allowed mileage for coming to and returning from the legislative session. It is payable but once for each session. OAG March 12, 1945 (380d).

Salary ceases when incumbent dies, and the salary remaining unpaid should be used as compensation for the representative who is elected to fill the vacancy. OAG April 14, 1947 (280-D).

3.16 MEMBERS, OFFICERS OF, AND ATTORNEYS EMPLOYED BY, EXCUSED FROM COURT DUTIES.

Members of the legislature are not prohibited from practicing before state boards or commissions whose personnel is elected or appointed by the legislature or otherwise. OAG May 22, 1947 (280-H).

3.17 JOURNALS.

Impeachment by parol evidence of legislative journals. 25 MLR 528.

STANDING APPROPRIATIONS

3.23 STANDING APPROPRIATION.

The legislature may, for the purpose of erecting a state capitol, make appropriations covering a period of time beyond the two years for which it is elected; and may do so without first disposing of federal land grant lands, granted to the state for capitol purposes. *Fleckten v Lamberton*, 69 M 188, 72 NW 65.

A statute creating a liability on the part of the state is not in itself, standing alone, an appropriation act. No money can be drawn from the state treasury on a state auditor's warrant, or otherwise, except as authorized by legislative appropriation, section 9 of Article IX of the constitution and Minnesota Statutes section 6.03. *State ex rel v Preus*, 147 M 125, 179 NW 725.

3.24 STANDING APPROPRIATION REPEALED.

Under section 3.24 standing legislative appropriations are abolished. Under section 6.03 warrants are drawn by the state auditor on the state treasurer only in pursuance of an appropriation by the legislature. A claim transmitted to the state auditor by the clerk of the district court of Fillmore County for a horse stealing bounty under the provisions of section 348.06 cannot be honored by the state auditor. OAG May 1, 1947 (9-A).

LEGISLATIVE RESEARCH COMMITTEE

3.31 LEGISLATIVE RESEARCH COMMITTEE CREATED; SELECTION OF MEMBERS; VACANCIES.

HISTORY. L. 1947, c. 306, s. 1.

3.32 POLICY; POWERS; RESTRICTIONS; RIGHTS OF LEGISLATORS.

HISTORY. L. 1947, c. 306, s. 2.

3.33 ASSIGN SUBJECTS FOR RESEARCH.

HISTORY. L. 1947, c. 306, s. 3.

3.34 MEETINGS; QUORUM.

HISTORY. L. 1947, c. 306, s. 4.

3.35 OFFICERS; RESEARCH DIRECTOR; EMPLOYEES; BUDGET.

HISTORY. L. 1947, c. 306, s. 5.

3.36 MINUTES OF MEETINGS; PERIODIC AND BIENNIAL REPORTS.

HISTORY. L. 1947, c. 306, s. 6.

3.37 CERTAIN SUBJECTS PRESENTED 60 DAYS IN ADVANCE OF REGULAR SESSION.

HISTORY. L. 1947, c. 306, s. 7.

3.38 EXPENSE OF MEMBERS.

HISTORY. L. 1947, c. 306, s. 8.

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3.40 OFFICE.

HISTORY. L. 1947, c. 306, s. 10.

3.41 APPROPRIATION.

HISTORY. L. 1947, c. 306, s. 11.

3.42 TERMINATION OF ACT.

HISTORY. L. 1947, c. 306, s. 12.