

CHAPTER 5

SECRETARY OF STATE

Sec.		Sec.	
5.01	Custodian of records and state seal.	5.07	Oaths, acknowledgments.
5.02	Assistants.	5.08	Legislative manual.
5.03	Clerk of government surveys.	5.09	Legislative manual, students' edition.
5.05	Duties of secretary.	5.11	Secretary of state revolving fund.
5.06	Amendment to U.S. Constitution; ratification, notice.	5.21	Notice of rule hearings lists.

5.01 CUSTODIAN OF RECORDS AND STATE SEAL. The secretary of state shall be the custodian of the state seal and of all records and documents of the state not expressly required by law to be kept by other state officials.

[*RL s 30*] (59)

5.02 ASSISTANTS. The secretary of state shall appoint an assistant secretary of state, who shall perform all the duties of the office when the secretary is absent or disabled. He may also employ a chief clerk, a recording clerk, and a stenographer, who, besides the duties indicated by their titles, shall perform such services in connection with the office as the secretary or his assistant may require.

[*RL s 31*] (60)

5.03 CLERK OF GOVERNMENT SURVEYS. There is hereby created in the office of the secretary of state the position of clerk of government surveys and documents for the purpose of receiving and for the safe-keeping of all the records and archives of the office of United States surveyor general for the state as soon as they shall be received from the commissioner of the general land office at Washington, D.C.

[*1907 c 416 s 1; 1921 c 197 s 1*] (61)

5.04 [Repealed, *1961 c 561 s 17*]

5.05 DUTIES OF SECRETARY. The secretary of state shall attend at the beginning of each legislative session, to call the members of the house of representatives to order and to preside until a speaker is elected.

[*RL s 32; 1961 c 561 s 1*] (63)

5.06 AMENDMENT TO U.S. CONSTITUTION; RATIFICATION, NOTICE. When the legislature shall ratify any amendment to the Constitution of the United States which shall be proposed by congress, as provided by the Constitution of the United States, it shall be the duty of the secretary of state forthwith to transmit to the secretary of state of the United States government official notice thereof. Such notice shall include the official certificate of the secretary of state of the action of the legislature ratifying any such amendment under the hand of the secretary of state and attested by the great seal of the state.

[*Ex1912 c 13 s 1*] (64)

5.07 OATHS, ACKNOWLEDGMENTS. The secretary of state shall have power to administer oaths and take acknowledgments and to certify the same, appending the great seal of the state as the seal of his office.

[*1927 c 60 s 1*] (64-1)

5.08 LEGISLATIVE MANUAL. Subdivision 1. **Preparation.** The Secretary of State shall prepare, compile, edit, and distribute for use at each regular legislative session, a convenient manual, properly indexed, and containing: The Federal and State Constitutions; the acts of Congress relating to the organization of the territory and state; the rules of order and joint rules of the two houses, and lists of their members, committees and employees; the names of all state officials, whether elected or appointed, and of all persons holding office from this state under the national government, including postmasters appointed by the president; the places where the said several officials reside, and the annual compensation of each; and statistical and other information of the kind heretofore published in the legislative manuals.

Subd. 2. **Distribution.** 15,000 copies of the legislative manual shall be printed and distributed as follows:

- (1) 25 copies shall be available to each member of the legislature on request;
- (2) 50 copies to the state historical society;
- (3) 25 copies to the state university;
- (4) 60 copies to the state library;

(5) Two copies each to the library of Congress, the Minnesota veterans home, the state universities, the state high schools, the public academies, seminaries, and colleges of the state, and the free public libraries of the state;

(6) One copy each to the state institutions not hereinbefore mentioned, the elective state officials, the appointed heads of departments, the officers and employees of the legislature, the justices of the supreme court, the judges of the district court, the senators and representatives in Congress from this state, and the county auditors;

(7) One copy to each public school, to be distributed through the superintendent of each school district; and

(8) The remainder may be disposed of as the secretary of state deems best, and at a price the secretary of state shall establish. All receipts from the sale of the legislative manual shall be deposited to the general fund.

[1943 c 337 s 1,2; 1947 c 108 s 1; 1967 c 148 s 2; 1975 c 204 s 65; 1975 c 321 s 2]

5.09 LEGISLATIVE MANUAL, STUDENTS' EDITION. The secretary of state, subject to the approval of the president pro tem of the senate and speaker of the house of representatives, shall prepare, compile, edit, and distribute a brief edition of the legislative manual, as provided in section 5.08, suitable for sale to school pupils at a price to be fixed by the secretary of state.

[1959 c 415 s 1]

5.11 SECRETARY OF STATE REVOLVING FUND. Subdivision 1. There is hereby created the secretary of state revolving fund, for the purpose of having the secretary of state pay to the county recorder of the various counties the filing fees collected by the secretary of state for the county recorder as provided by law.

Subd. 2. Such fund shall consist of \$1,000 hereby appropriated and the receipts for filing fees collected by the secretary of state for the county recorder, which are re-appropriated to the secretary of state revolving fund.

Subd. 3. Such fund shall be kept in the state treasury and shall be paid out in the manner prescribed by law for moneys therein.

[1957 c 878 s 1-3; 1976 c 181 s 2]

5.21 NOTICE OF RULE HEARINGS LISTS. The secretary of state shall maintain lists of persons and associations who, pursuant to section 15.0412, subdivision 4, register their names for the purpose of receiving a notice of a rule hearing. A separate list shall be kept for each agency and shall be supplied upon request to the appropriate agency. Once each year the secretary of state shall inquire as to whether those persons and associations on the lists wish to maintain their names thereon and shall remove names for which there is a negative reply or no reply within 60 days.

[1975 c 380 s 20]