

## CHAPTER 648

## MINNESOTA STATUTES, PUBLICATION

648.11	Minnesota Statutes 1945.	648.40	Stamped "State Copy."
648.14	Construction.	648.41	Metal type and similar preserved; printing by computer.
648.31	Statute publication.	648.42	Sale.
648.32	Printing; certificate by revisor.	648.43	Pamphlets authorized.
648.33	Prima facie evidence.	648.44	Separate books.
648.34	Powers of revisor.	648.45	Revolving fund.
648.35	Numbers retained.	648.46	Appropriation.
648.36	Headnotes.	648.50	Compilation and drafting of administrative rules.
648.37	Duties.	648.51	Publication of Minnesota rules.
648.39	Minnesota Statutes and session laws; sale and distribution.		

**648.01-648.10** [ Repealed, 1945 c 462 s 17 ]

**648.11 MINNESOTA STATUTES 1945.**

Subdivision 1. Immediately after the end of the biennial session of the Legislature in 1945, the revisor of statutes shall prepare and deliver to the commissioner of administration printer's copy for Minnesota Statutes 1945, which shall contain all the text embodied in the "Minnesota Revised Statutes" except as herein provided. The revisor shall incorporate with the body of the text of the "Minnesota Revised Statutes" the amendments made to any sections contained therein at the 1945 biennial session of the Legislature and omit any statutes expressly repealed at such session.

Subd. 2. The revisor shall compile and include in Minnesota Statutes 1945, in an appropriate place and classification, all laws of a general and permanent nature enacted at the 1945 biennial session, assigning to such laws, such chapter and section identification by the decimal system of numbering as is appropriate. After each section so included there shall be placed a source note indicating the chapter and section of the session law from which the same was derived. Chapters and sections so compiled and included shall be prima facie evidence of the law contained therein in all courts and proceedings.

**History:** 1945 c 67 s 1

**648.12** MS 1967 [ Obsolete ]

**648.13** MS 1967 [ Obsolete ]

**648.14 CONSTRUCTION.**

The laws contained and compiled in Minnesota Statutes 1945 are to be construed as continuations of the acts from which compiled and derived and not as new enactments.

**History:** 1945 c 67 s 4

**648.15** MS 1967 [ Obsolete ]

**648.16** MS 1967 [ Obsolete ]

**648.21-648.25** [ Repealed, 1957 c 466 s 1 ]

**648.31 STATUTE PUBLICATION.**

Subdivision 1. **Revisor to prepare copy.** Immediately after the end of the regular session of the legislature in 1976 and each regular session thereafter, the revisor of statutes shall prepare printer's copy for a volume to be called "Minnesota Statutes," appending thereto the last year of such session, which shall contain the constitution of the United States, the constitution of this state, all general and permanent statutes in force, an alphabetical index, and such other

information as the revisor of statutes deems desirable and practicable. The decimal system of numbering of sections contained in Minnesota Statutes 1945 shall be continued in all future editions of Minnesota Statutes, except that the use of alphabetical letters in addition to the decimal numbers is permitted. The form and style of Minnesota Statutes may be changed in such manner as is necessary to improve its quality and to permit the use of electronic data processing equipment, computer compatible media, and other related equipment in connection with its publication.

**Subd. 2. New laws incorporated.** The revisor of statutes may, as soon as possible after the adjournment of each session of the legislature, incorporate with the body of the text of the Minnesota Statutes the amendments made to any of the statutes contained therein at such session of the Legislature and at any extra session of the Legislature and omit any sections or statutes expressly repealed.

**Subd. 3. Specifications for copy.** When printer's copy for any edition of Minnesota Statutes is prepared, the revisor of statutes shall compile and include therein, in an appropriate place and classification, having reference to the arrangement and classification thereof, all laws of a general and permanent nature which were enacted at such regular session and at any extra session held since the last preceding regular session, assigning to such laws such chapter and section identification as is appropriate. After each section so included there shall be placed a source note indicating the chapter and section of the session law from which the same was derived. Chapters and sections so compiled and included shall be prima facie evidence of the law contained therein in all courts and proceedings.

**Subd. 4. Minnesota Statutes Supplement.** If the legislature meets in regular session in more than one year of a biennium, the revisor of statutes may publish a supplemental edition in the even numbered year of the biennium. The publication authorized by this subdivision shall be identified by the year of publication and to the extent possible shall otherwise comply with the requirements of and be subject to the provisions of this chapter. The sale price of a supplemental edition to Minnesota Statutes shall be fixed by the revisor of statutes with the approval of the commissioner of administration and shall not be subject to section 648.39.

**Subd. 5. Negotiated contracts.** Notwithstanding any provision in the law to the contrary and in order to provide an adequate statutory service to the people of the state under the program authorized by the Constitution, Article 4, the section governing sessions of the legislature, the revisor of statutes may negotiate for all or part of the editing, indexing, compiling and printing of Minnesota Statutes and contract with a law book publisher therefor. No such contract shall be made until the revisor of statutes has consulted with the committee on rules and legislative administration of the senate and the committee on rules and legislative administration of the house of representatives and such committees have made the recommendation thereon. Such recommendation shall be advisory only. Failure or refusal of the committees to make a recommendation promptly shall be deemed an affirmative recommendation.

**Subd. 6. Agency rules.** The revisor may integrate agency rules adopted pursuant to Minnesota Statutes, Section 15.0412, Subdivisions 4, 4a to 4h, and 5, into the Minnesota Statutes, or publish the rules as an adjunct to the Minnesota Statutes, or coordinate publication of the rules with the Minnesota Statutes.

**History:** 1945 c 462 s 1; 1965 c 203 s 1,2; 1969 c 957 s 4; 1973 c 633 s 3-5; 1975 c 256 s 1,2; 1979 c 50 s 69; 1979 c 56 s 3; 1980 c 615 s 55

NOTE: Subdivision 6, as added by Laws 1980, Chapter 615, Section 55, is effective July 1, 1981. See Laws 1980, Chapter 615, Section 63.

### 648.32 PRINTING; CERTIFICATE BY REVISOR.

Upon completion of the printer's copy of the statutes or any supplement to the statutes, the revisor shall print and deliver, as soon as possible, an edition sufficient to supply the demand. After making the necessary comparison, the revisor shall annex, at the end of one copy of each edition, which shall be filed in the office of the secretary of state as a public record, his certificate certifying that each printed section therein has been compared to the original section of the statutes or with the original section contained in the enrolled act from which the section was derived, together with all amendments of such original section and that all sections appear to be correctly printed. All other copies of the edition shall contain a printed copy of such certificate.

**History:** 1945 c 462 s 2; 1969 c 957 s 5; 1979 c 56 s 4

### 648.33 PRIMA FACIE EVIDENCE.

Any volume of Minnesota Statutes so certified by the revisor of statutes shall constitute prima facie evidence of the statutes contained therein in all courts and proceedings, and any section in any such volume may be amended or repealed by reference to the section number, without reference to the legislative act from which it was compiled.

**History:** 1945 c 462 s 3

### 648.34 POWERS OF REVISOR.

Subdivision 1. The revisor of statutes, in preparing printer's copy for editions of the statutes, shall not alter the sense, meaning, or effect of any legislative act, but may renumber sections or subdivisions and parts of sections or subdivisions thereof, change the wording of headnotes, rearrange sections or subdivisions, combine sections or subdivisions into other sections or other subdivisions, or both, change reference numbers to agree with renumbered chapters, sections, or subdivisions, substitute the proper section, chapter, or subdivision numbers for the terms "this act," "the preceding section," and the like, substitute figures for written words and vice versa, and to substitute the date on which the law becomes effective for the words "the effective date of this act," and the like, and change capitalization for the purpose of uniformity, and correct manifest clerical or typographical errors.

He shall have power:

- (1) To correct therein all words misspelled in enrolments;
- (2) To correct all manifest grammatical and clerical errors, including punctuation, but no such correction shall constitute an alteration of, or a departure from, the enrolment; and
- (3) To transfer sections or subdivisions or to divide sections into other sections or subdivisions so as to give to distinct subject matters a section or subdivision number, but without changing the meaning.

Subd. 2. [ Repealed, 1955 c 554 s 1 ]

**History:** 1945 c 462 s 4; 1959 c 357 s 1; 1965 c 51 s 87

### 648.35 NUMBERS RETAINED.

All chapters and sections of Minnesota Statutes shall retain the numbers and titles given them in Minnesota Revised Statutes until changed by the revisor or by statute.

**History:** 1945 c 462 s 5

**648.36 HEADNOTES.**

The headnotes of the sections of any edition of the Minnesota Statutes printed in black-face type are intended to be mere catch-words to indicate the contents of the section and are not any part of the statute, nor shall they be so deemed when any of such sections, including the headnotes, are amended or reenacted, unless expressly so provided.

**History:** 1945 c 462 s 6

NOTE: As to captions or headnotes in the Uniform Commercial Code, see section 336.1-109.

**648.37 DUTIES.**

Subdivision 1. The revisor of statutes shall keep an accurate and complete record of all legislation enacted by the legislature.

Subd. 2. He shall prepare and submit to the Legislature such clarifying bills relating to the statutes as can be completed from time to time.

**History:** 1945 c 462 s 7; 1959 c 357 s 2

**648.38** [ Repealed, 1965 c 203 s 3 ]

**648.39** MS 1969 [ Repealed, Ex1971 c 3 s 67 subd 6 ]

**648.39 MINNESOTA STATUTES AND SESSION LAWS; SALE AND DISTRIBUTION.**

Subdivision 1. To the extent that appropriations are available therefor, the revisor of statutes shall distribute each edition of Minnesota Statutes and each edition of the session laws as follows:

30 copies to the supreme court;

1 copy to each judge of a district court;

1 copy to the clerk of each district court for use in each courtroom of the district court of his county;

100 copies to the state law library;

100 copies to the law school of the University of Minnesota;

35 copies to the office of the attorney general;

Such copies as may be necessary but not exceeding ten each to the governor's office, the departments of administration, agriculture, commerce, corrections, education, health, transportation, labor and industry, economic security, natural resources, public safety, public service, public welfare, and revenue, and the pollution control agency;

1 copy each to the state departments, agencies, boards, and commissions that may request a copy;

1 copy to each member of the legislature;

The necessary number of copies required for the use of the senate and the house of representatives;

4 copies to the secretary of the senate;

4 copies to the chief clerk of the house of representatives;

1 copy to each judge, district attorney, clerk of court of the United States and the deputy clerk of each division of the United States district court in this state, the secretary of state of the United States, the library of congress, and the Minnesota historical society.

Subd. 1a. Notwithstanding the provisions of subdivision 1, the departments of administration and state auditor and legislative auditor may each receive not more than 20 copies of each edition of Minnesota Statutes and each edition of the session laws.

Subd. 2. Each county shall purchase from the revisor of statutes one copy each for the use of the judge of probate, county attorney, sheriff, auditor, treasurer, county recorder, and superintendent of schools.

Subd. 3. Each city and town shall purchase from the revisor of statutes, for the use of each justice of the peace, judge of the municipal court, clerk of the municipal court, and clerk of the city or town, as the case may be, such number of copies as the city or town shall determine is needed.

Subd. 4. A department, agency, board, commission, or other instrumentality of the state listed in this section may purchase from the revisor of statutes any additional copies which may be required.

Subd. 5. The sale price for each edition of Minnesota Statutes is not less than the actual cost thereof but in no event less than \$100. The sale price of each edition of Minnesota session laws is not less than the actual cost thereof but in no event less than \$35. Nothing in this subdivision shall be construed to fix the sale prices of paper back editions of each of the publications should the revisor of statutes deem it desirable to publish paper back copies.

Subd. 6. The revisor of statutes shall provide without cost one copy of each edition of Minnesota Statutes and one copy of each supplement to Minnesota Statutes to each county library maintained pursuant to section 375.33 or 134.12, except in counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located.

**History:** *Ex1971 c 3 s 67 subds 1-5; Ex1971 c 48 s 2; 1973 c 123 art 5 s 7; 1973 c 254 s 3; 1973 c 492 s 7,14; 1973 c 582 s 3; 1976 c 76 s 7; 1976 c 166 s 7; 1976 c 181 s 2; 1977 c 323 s 3; 1977 c 430 s 25 subd 1*

#### **648.40 STAMPED "STATE COPY."**

All copies of Minnesota Statutes distributed to any state or other public officer, except members and officers of the Legislature and officers of the United States, shall have stamped or written thereon the name of the office, together with the words "State Copy," and shall be kept for the use of such office.

**History:** *1945 c 462 s 10; 1979 c 56 s 5*

#### **648.41 METAL TYPE AND SIMILAR PRESERVED; PRINTING BY COMPUTER.**

Subdivision 1. The type, stereotype matrices, electrotypes, or stereotype plates and the linotype matrices as well as tapes and punch cards used for electronic data processing of the Minnesota Statutes shall be and remain the property of the state of Minnesota. The revisor of statutes shall store and safely keep all type, matrices, electrotypes or stereotype plates and the linotype matrices of the most recent edition of the Minnesota Statutes in such manner that they may be readily accessible at all times. The revisor may sell or otherwise dispose of any type, stereotype matrices, electrotypes, stereotype plates and linotype matrices of editions earlier than the most recent edition of the Minnesota Statutes. The proceeds of any sale shall be credited to the general fund.

Subd. 2. Subject to the availability of legislative appropriation, the revisor of statutes may contract for the preparation and printing of Minnesota Statutes by means of letterpress, offset lithography or electronic data processing equipment including, but not limited to, computers. The provisions of chapter 16, as they relate to competitive bidding shall not apply to such contracts.

**History:** 1945 c 462 s 11; 1969 c 45 s 1; 1969 c 957 s 7; 1973 c 35 s 83; 1973 c 633 s 6; 1979 c 56 s 6

#### 648.42 SALE.

At the request of the revisor of statutes the commissioner of administration shall sell the Minnesota Statutes and Session Laws to the state or any political subdivision thereof or to any person.

**History:** 1945 c 462 s 12; 1969 c 957 s 6; 1973 c 35 s 84; 1973 c 633 s 7

#### 648.43 PAMPHLETS AUTHORIZED.

The revisor of statutes shall compose, print and deliver pamphlets containing parts of the Minnesota Statutes, parts of Minnesota Rules, or combinations of parts of the Statutes and Rules as may be necessary for the use of public officers and departments, the cost thereof to be borne by the office or department requesting the pamphlets. The printing shall be limited to actual needs as shown by experience or other competent proof. The revisor shall use a standard form for the pamphlets.

**History:** 1945 c 462 s 13; 1976 c 2 s 157; 1980 c 615 s 56

NOTE: This section, as amended by Laws 1980, Chapter 615, Section 56, is effective July 1, 1981. See Laws 1980, Chapter 615, Section 63.

#### 648.44 SEPARATE BOOKS.

When there is a sufficient demand for the printing of codes or parts of the Minnesota Statutes in separate book or pamphlet form the commissioner of administration may print and sell such books or pamphlets.

**History:** 1945 c 462 s 14

#### 648.45 REVOLVING FUND.

Subdivision 1. The Minnesota Statutes Revolving Fund is hereby created for the purpose of carrying out the provisions in chapters 482 and 648 for the printing and distribution of the Minnesota Statutes and Session Laws, and shall be kept in the state treasury and shall be paid out in the manner prescribed by law for money therein.

Subd. 2. Such fund shall consist of the money appropriated therefor and the money transferred to it as provided in this section, which are reappropriated to the revisor of statutes for the purposes herein set forth.

Subd. 3. All money now in the revolving fund created by Laws 1941, Chapter 548, Section 7, is hereby transferred to said fund, and all money which may be hereafter received by the revisor of statutes from the sale of Minnesota Statutes and Session Laws and from the sale of pamphlets and codes printed therefrom shall be deposited in said fund.

Subd. 4. Such fund shall be used solely for the payment of expenses incurred by the revisor of statutes in the printing, publication, sale, and distribution of Minnesota Statutes and Session Laws, and no part of such fund may be used in the payment of any expense incurred within the revisor's office for preparing printer's copy for any edition of Minnesota Statutes or Session Laws.

Subd. 5. All moneys appropriated to the commissioner of administration for the publication of Minnesota Statutes and Session Laws, including the revolving fund contained in this section, and the appropriation for placing Minnesota Statutes on computer compatible media as made by Laws 1969, Chapter 44, or under any other laws now or hereafter in force and effect relating to the subject matters expressed in Laws 1969, Chapter 957, are hereby reappropriated to the revisor of statutes for the same uses and purposes as expressed in the initial appropriation.

**History:** 1945 c 462 s 15; 1969 c 957 s 8; 1973 c 633 s 8; 1975 c 256 s 3

#### 648.46 APPROPRIATION.

There is hereby appropriated out of the general fund in the state treasury to be placed in the "Minnesota Statutes Revolving Fund" the sum of \$30,000.

**History:** 1945 c 462 s 16; 1969 c 399 s 49

#### 648.50 COMPILATION AND DRAFTING OF ADMINISTRATIVE RULES.

Subdivision 1. The revisor of statutes shall:

(a) formulate a plan for the compilation of all permanent agency rules and, to the extent practicable, temporary agency rules, including their order, classification, arrangement, form, and indexing, and any appropriate tables, annotations, cross references, citations to applicable statutes, explanatory notes, and other appropriate material to facilitate use of the rules by the public, and for the compilation's composition, printing, binding and distribution;

(b) publish the compilation of agency rules which shall be called "Minnesota Rules" for the year of the compilation's publication;

(c) periodically either publish a supplement or a new compilation, which includes all rules adopted since the last supplement or compilation was published and removes rules incorporated in prior compilations or supplements which are no longer effective;

(d) periodically prepare and submit to the appropriate agency those revisions of the rules, which will, if adopted by the agency, in accordance with section 15.0412, subdivisions 4a to 4g, clarify, modernize or simplify the text of the rule without substantive alteration;

(e) maintain an agency rules drafting department to draft or aid in the drafting of rules or amendments to rules for any agency in accordance with the objective or other instructions which the agency shall give the revisor;

(f) prepare and publish an agency rules drafting guide which shall set out the form and method for drafting rules and amendments to rules, and to which all rules shall comply; and

(g) copyright any compilations and or supplements in the name of the state of Minnesota.

Subd. 2. The revisor of statutes shall file with the secretary of state one copy of each compilation or supplement which is published. The copy shall contain the revisor's certificate that the rules contained in the compilation or supplement have been compared to the original rules filed with the secretary of state and are correctly incorporated into the compilation.

Subd. 3. Any compilation or supplement published by the revisor and containing his certificate is prima facie evidence of the administrative rules in all courts and proceedings. A compilation or supplement shall not be construed as repealing an unpublished rule. If there is any inconsistency through omission or otherwise between a compilation or supplement, the state register, and a rule filed with the secretary of state, the rule filed with the secretary shall prevail.

Subd. 4. In preparing a compilation or supplement, the revisor shall not alter the sense, meaning or effect of any rule, but may renumber rules, paragraphs, clauses or other parts of a rule; combine or divide rules, paragraphs, clauses or other parts of a rule; rearrange the order of rules, paragraphs, clauses, or other parts of a rule; move paragraphs, clauses, or other parts of a rule to another rule; change reference numbers to agree with renumbered rules, paragraphs, clauses or other parts of a rule; substitute the proper rule, paragraph, clause, or other part of a rule for the term "this rule", "the preceding rule" and the like; substitute numbers for written words and written words for

numbers; substitute the date on which the rule becomes effective for the words "the effective date of this rule", and the like; change capitalization for the purpose of uniformity; correct manifest clerical or typographical errors; correct all misspelled words; and correct manifest grammatical and punctuation errors.

The revisor shall provide headnotes as catch words to rules and, if appropriate, to paragraphs, clauses, or other parts of a rule. The headnotes are not part of the rule even if included with the rule when it is adopted. The revisor shall change headnotes to clearly indicate the subject matter of the rules.

Subd. 5. Insofar as economically feasible, the revisor shall utilize the same equipment, computer assistance and procedures for drafting agency rules and publishing compilations and supplements as for preparing bill drafts and statutory publications.

Subd. 6. In determining the form of rules the revisor shall:

- (a) minimize duplication of statutory language;
- (b) not permit incorporations into the rules by reference of publications which are not conveniently available to the public;
- (c) to the extent practicable, use plain language in rules and avoid technical language; and
- (d) amend rules by showing the text of the rule, paragraph, clause, or other part of a rule being amended, as it is shown in the latest compilation or supplement, or, if not yet published in a compilation or supplement, then as the text is shown in the state register, with changes shown by striking and underlining words.

Subd. 7. Any compilation, reissue, or supplement published by the revisor shall be sold by the revisor for a reasonable fee and its proceeds deposited in the general fund. An agency shall purchase from the revisor the number of copies of the compilation or supplement needed by the agency. The revisor shall provide one copy of any compilation or supplement to all Minnesota county libraries and to any public library upon its request.

**History:** 1980 c 615 s 57

NOTE: This section, as added by Laws 1980, Chapter 615, Section 57, is effective July 1, 1981, except that subdivision 1, clause (a) is effective July 1, 1980. See Laws 1980, Chapter 615, Section 63.

### **648.51 PUBLICATION OF MINNESOTA RULES.**

Notwithstanding any provision of law to the contrary, the revisor of statutes may obtain competitive bids from and enter into contracts with the lowest responsible bidder for compiling, editing, indexing, composition, printing, binding, distribution, or other services, if the work either cannot be performed by the revisor or it is uneconomical for the revisor to do so.

**History:** 1980 c 615 s 58

NOTE: This section, as added by Laws 1980, Chapter 615, Section 58, is effective July 1, 1981. See Laws 1980, Chapter 615, Section 63.