

CHAPTER 546—S. F. No. 295

An act relating to relief of the poor and amending Minnesota Statutes 1945, Section 261.03.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Minnesota Statutes 1945, Section 261.03, is amended to read as follows :

261.03. **Liability of county, town, city, or village.** When any such poor person has none of the relatives named in section 261.01, or they are not of sufficient ability, or refuse or fail, to support him, he shall receive such support or relief as the case may require from the county, town, city, or village in which he has a settlement at the time of applying therefor, as hereinafter provided, *except that in determining the need or amount of such support or relief the county, town, city, or village shall exclude all sums received by members or dependents of such poor person's family under the aid to the blind act.*

Approved April 26, 1947.

CHAPTER 547—S. F. No. 368

[Coded as Sections 138.13 to 138.25]

An act creating the Minnesota State Archives Commission, prescribing the duties and powers of said commission and relating to the preservation, destruction, sale, photographing, photostating, microphotographing and microfilming of official papers, books, documents and records of the state and its agencies and appropriating money therefor.

Be it enacted by the Legislature of the State of Minnesota :

State Archives Commission

[138.13] Section 1. **Minnesota State Archives Commission created.** There is hereby created a commission of five members to be known as the Minnesota State Archives Commission.

[138.14] Sec. 2. **Members of the commission.** The state auditor, the attorney general, the commissioner of administration, the public examiner and the superintendent of the Minne-

sota State Historical Society shall ex officio constitute said commission.

[138.15] **Sec. 3. Organization of commission.** The commissioner of administration shall ex officio be the chairman of said commission, and the superintendent of the Minnesota State Historical Society shall ex officio be the secretary of said commission.

[138.16] **Sec. 4. Meetings of the commission.** Meetings of the commission shall be held when called by the chairman or by the secretary or by any two members of the commission. Three members shall constitute a quorum at any meeting. Notice of such meetings may be given by telephone. The chairman shall preside at all meetings of the commission and in case of his absence, a chairman pro tempore shall be chosen by the members present. The secretary shall keep the minutes of each meeting.

[138.17] **Sec. 5. Powers and duties of the commission.**
Subdivision 1. Destruction, preservation, photographing, and other reproducing of records; prima facie evidence. The said commission shall have power to direct the destruction, the sale for salvage or the disposition by gift or otherwise of such papers, books, documents and records of the state and its agencies as it may determine to be no longer of any value, and for the preservation of which no reason exists. Said commission may also cause any of such papers, books, documents and records to be photographed, photostated, microphotographed or microfilmed, or otherwise reproduced, and may make an order that such photographs, photostats, microphotographs, microfilms, or other reproductions, be substituted for the originals thereof, and may direct the destruction or sale for salvage or other disposition of the originals from which the same were made. Any such photographs, photostats, microphotographs, microfilms, or other reproductions so made shall for all purposes be deemed the originals of such papers, books, documents and records so reproduced when so ordered by the commission, and shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile or exemplified or certified copy of any such photograph, photostat, microphotograph, microfilm, or other reproduction, or any enlargement or reduction thereof, shall have the same effect and weight as evidence as would a certified or exemplified copy of the original. The commission shall have power to direct the archival storage of any papers, books, documents or records of the state, or any department or agency thereof, except as herein provided, and to direct

the archival storage of such photographs, photostats, microphotographs or microfilms, or other reproductions.

Subd. 2. Scope of powers. The powers of said commission shall extend to all papers, books, documents and records of the state, and its officers, its departments, or its agencies, and to the papers, books, documents and records of the state, its officers, departments and its agencies to which *Minnesota Statutes 1945, Section 15.17*, is applicable, except as herein stated, but shall not extend to the papers, books, documents or records of counties, cities, villages, towns or school districts, or other municipal subdivisions or municipal corporations within the state. The words "books, papers, records and documents" shall be construed to include also all written matter in printing, typewriting, or in pen or pencil, and writings of any kind, and maps, contracts, photographs, plans, blueprints, drawings, diagrams, drafts, checks, vouchers, stamps and bookkeeping records.

Subd. 3. University; State Agricultural Society; Historical Society. This act shall not apply to the papers, books, documents and records of the University of Minnesota, the Minnesota State Agriculture Society or the Minnesota Historical Society.

Subd. 4. State library. No papers, books, documents or records of the Minnesota State Library shall be subject to the disposition or orders of said commission, except with the consent of the state librarian.

Subd. 5. Supreme Court. No papers, books, documents, or records of the Supreme Court shall be subject to the disposition or orders of said commission, except with the consent of said court.

Subd. 6. Sections 138.03 and 138.04 implemented by commission. The duties and powers conferred upon the Minnesota State Historical Society by *Minnesota Statutes 1945, Sections 138.03 and 138.04*, in so far as the same relate to official papers, books, documents and records of the state, and except as herein stated, are hereby transferred to and vested in the Minnesota State Archives Commission.

Subd. 7. Equipment and supplies; employment of agents. The Minnesota State Archives Commission shall have power to acquire by purchase or to lease such equipment, machines and instruments and such supplies as may be necessary to enable it to carry out its duties and powers as conferred by this act. Said commission shall also have power to employ

such agents and personnel as may be necessary for that purpose.

[138.18] **Sec. 6. Rules and Regulations.** Said commission shall have power to adopt rules and regulations consistent with the provisions of this act governing its procedure and the performance of its duties hereunder. Said commission shall also have power to hold hearings, issue subpoenas, and compel the attendance of witnesses and the production of papers, books, documents and records. It shall also have power to direct every department and agency of the state subject to the provisions of this act to submit to it papers, books, documents and records, or a description thereof in writing, for the decision of the commission as to the disposition thereof.

[138.19] **Sec. 7. Applications for orders of the commission.** Any officer, department or agency of the state is authorized to apply in writing to the commission for an order relating to the disposition of any of his or its papers, books, documents or records. The commission is authorized to receive, consider and act upon such applications and make such order with respect thereto as it may deem advisable within the powers herein granted to it.

[138.20] **Sec. 8. Record of proceedings.** The secretary shall keep a record of the proceedings and orders of the commission. Orders of the commission shall be in writing and signed by the chairman and secretary, and shall identify the papers, books, documents and records referred to therein. A certified copy of any such order shall be admissible in evidence in any court or proceeding. Such records shall be preserved in the office of the state auditor and shall be open to public inspection. Proper records shall be kept by the secretary of the commission and filed with the state auditor showing where any papers, books, documents or records, photographs, photostats, microphotographs or microfilms have been stored, and also identifying such as have been order destroyed, sold or given away.

[138.21] **Sec. 9. Storage space designated by commission.** When the Minnesota State Archives Commission shall have ordered the archival storage of any papers, books, documents and records of the state, or of any such reproductions thereof, the same shall be stored in the space designated by the Minnesota State Archives Commission.

[138.22] **Sec. 10. Receipts from sales for salvage.** Any moneys received from the sale of papers, books, documents

or records as waste material shall be paid into the general revenue fund of the state.

[138.23] **Sec. 11. Compensation and expenses.** The members of the commission shall not receive any additional compensation for their services upon said commission. Expenses incurred by the commission shall be paid by state auditor's warrant after claims therefor have been approved by the commissioner of administration.

[138.24] **Sec. 12. Appropriation.** There is hereby appropriated from the general revenue fund of the state not otherwise appropriated the sum of \$10,000 for the fiscal year ending June 30, 1948, and \$10,500 for the fiscal year ending June 30, 1949, to be expended by said commission in the performance of its duties under this act.

[138.25] **Sec. 13. Citation.** This act may be cited and referred to as the Minnesota State Archives Act.

Sec. 14. Effective date. This act shall take effect and be in force from and after its passage.

Approved April 26, 1947.

CHAPTER 548—S. F. No. 379

An act relating to the Minnesota Aeronautics fund and amending Minnesota Statutes 1945, Section 360.305, by adding two new subdivisions thereto.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1945, Section 360.305, is amended by adding thereto two new subdivisions as follows:

360.305. Expenditure. Subd. 4. Make rules and regulations. The commissioner of aeronautics is hereby authorized, subject to the approval of the governor, to make and amend such rules and regulations, not inconsistent with law, as are necessary for the administration of this act.

Subd. 5. Prepare plans and specifications. The commissioner of aeronautics shall cause to be prepared plans and specifications for the construction, improvement, and maintenance of all airports upon which expenditures are made pursuant to this act; approve such plans and specifications;