

CHAPTER 32—S.F.No.331

[Coded in Part]

An act relating to the Minnesota Historical Society; custody and preservation of records; classification of the state archivist; administration of national historic records act; amending Minnesota Statutes 1971, Sections 138.03, Subdivision 1; 138.17, Subdivisions 1 and 6; and Chapter 138, by adding a section.

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

Section 1. Minnesota Statutes 1971, Section 138.03, Subdivision 1, is amended to read:

138.03 MINNESOTA HISTORICAL SOCIETY; CUSTODIAN OF RECORDS. Subdivision 1. ~~Two~~ Five copies of each book, document, journal, map, pamphlet, or report, including five copies of Minnesota Statutes and Minnesota Session Laws delivered to the Minnesota Historical Society in accordance with the provisions of section 15.18 shall be preserved by the society and ~~one copy~~ two copies of each thereof shall be sent immediately to the Library of Congress.

Sec. 2. Minnesota Statutes 1971, Section 138.17, Subdivision 1, is amended to read:

138.17 PUBLIC RECORDS; ADMINISTRATION.
Subdivision 1. **DESTRUCTION, PRESERVATION, REPRODUCTION OF RECORDS; PRIMA FACIE EVIDENCE.** The attorney general, public examiner and director of the Minnesota state historical society, hereinafter director, if all consent, shall have power to direct the destruction, the sale for salvage or the disposition by gift or otherwise of public records as they may determine to be no longer of any value, and for the preservation of which no reason exists. The attorney general, public examiner and director may by unanimous consent order any of such records to be reproduced by photographic or other means, and may make an order that such photographic 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 photographic or other reproductions so made shall for all purposes be deemed the originals of such records so reproduced when so ordered by the attorney general, public examiner and director, and shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile, exemplified or certified copy of any such photographic 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 attorney general, public examiner and director, by unanimous consent, shall have power to direct the storage of

Changes or additions indicated by underline, deletions by ~~strikeout~~.

any public records of the state, except as herein provided, and to direct the storage of such photographic or other reproductions. For the purposes of this chapter: (1) The term public "records" means state records, local records, all cards, correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings, reports, tapes, writings and other data, information or documentary material, regardless of physical form or characteristics, storage media or conditions of use, made or received by any officer or agency of the state and any officer or agency of a county, city, village, town, school district, municipal subdivision or corporation or other public authority or political entity within the state in pursuance of state law or in connection with the transaction of public business by such officer or agency; (2) The term "state record" means a record of a state agency; that is, a department, office, officer, commission, board or any other agency, however styled or designated, of the executive branch of state government; a record of the state legislature; a record of any court, whether of statewide or local jurisdiction; and any other record designated or treated as a state record under state law; (3) The term "local record" means a record of an agency of local government; that is, a county, city, village, town, school district, municipal subdivision or corporation or other public authority or political entity; (4) Not included within the definition of the term "records" as used in this act are data and information that does not become part of an official transaction, library and museum material made or acquired and kept solely for reference or exhibit purposes, extra copies of documents kept only for convenience of reference and stock of publications and processed documents; (5) Those records preserved or appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of government or because of the value of the information contained therein, when determined to have sufficient historical or other value to warrant continued preservation by the state of Minnesota and accepted for deposit in the collections of the Minnesota Historical Society, shall be known as the state archives. For the purpose of Laws 1971, Chapter 529 and of Minnesota Statutes, Chapter 138, public records comprise all papers, books, maps, photographs or other documentary material regardless of physical form or characteristics, made or received by all officers or agencies of the state and all officers and agencies of the counties, cities, villages, towns or school districts, or other municipal subdivisions or municipal corporations within the state, in pursuance of the state law or in connection with the transaction of public business by such officers or agencies, as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of government or because of the informational value of data contained therein.

Sec. 3. Minnesota Statutes 1971, Section 138.17, Subdivision 6, is amended to read:

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Subd. 6. **ARCHIVIST; EQUIPMENT; SUPPLIES.** The Minnesota state historical society shall employ a professional archivist, who shall be known as the state archivist and such other agents and personnel as are necessary to enable it to carry out its duties and powers. ~~The archivist and all other agents and personnel shall be unclassified service employees, except as otherwise provided in Laws 1971, Chapter 529.~~ The Minnesota state historical society may acquire by purchase or lease such equipment, machines and instruments and such supplies as may be necessary to enable it to carry out its duties and powers.

Sec. 4. Minnesota Statutes 1971, Chapter 138, is amended by adding a section to read:

[138.25] EXECUTIVE COUNCIL; ADMINISTRATION OF FEDERAL RECORDS LEGISLATION. The executive council of the Minnesota historical society is hereby designated the state agency to administer the national historic records act in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and is further authorized to do any and all things required of this state by such federal law and the rules and regulations promulgated thereunder in order to obtain such federal moneys.

Sec. 5. This act is effective upon final enactment.

Approved March 22, 1973.

CHAPTER 33—S.F.No.368

[Not Coded]

An act relating to retirement; firemen's service pensions in the village of Hoyt Lakes.

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

Section 1. **HOYT LAKES, VILLAGE OF; FIRE DEPARTMENT RELIEF ASSOCIATION.** The fire department relief association of the village of Hoyt Lakes may provide in its certificate of incorporation or bylaws for a lump sum service pension in an amount which does not exceed \$350 per year of service when the retiring member qualifies for a monthly service pension under Minnesota Statutes, Section 69.06, notwithstanding the limitation imposed by such section 69.06. The amount of benefit provided to a retiring fireman shall be determined by the bylaws of the relief

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