

a change of residence.

Sec. 4. All persons first employed by the fire department of the city of Virginia after the effective date of this act shall be members of the public employees police and fire fund governed by Minnesota Statutes, Section 353.63 to 353.68 and not be members of the firemen's relief association of the city of Virginia.

Sec. 5. Commencing in the year 1980, in addition to the minimum obligation required by Minnesota Statutes, Section 69.77, the city of Virginia shall provide additional financing to the firemen's relief association sufficient to amortize by the year 2010 the fund deficits as determined in accordance with Minnesota Statutes, Section 69.73. Payments for the firemen's relief association shall be exempt from levy limitations.

Sec. 6. Laws 1953, Chapter 399, Section 18, as amended by Laws 1961, Chapter 420, Section 4; Laws 1953, Chapter 399, Section 20, as amended by Laws 1961, Chapter 420, Section 5, Laws 1963, Chapter 407, Section 1, and Laws 1969, Chapter 578, Section 2; and Laws 1953, Section 23, as amended by Laws 1969, Chapter 578, Section 3, are repealed.

Sec. 7. This act is effective upon its approval by the governing body of the city of Virginia and compliance with Minnesota Statutes, Section 645.021.

Approved March 21, 1974.

CHAPTER 184—H.F.No.2043
[Coded in Part]

An act relating to the operation of state government; updating statutory references to printing; providing for more complete advance payments to state employees for travel expenses; clarifying the commissioner of administration's responsibility to supervise and control all state telecommunication facilities; enabling the commissioner of administration to dispose of lost or abandoned property in alternate ways; eliminating the requirement for contractor's bonds or security for negotiated state public work contracts; specifying certain services to be performed by the commissioner for other state departments or agencies; clarifying the state record disposition and record management functions; clarifying procedures for extending social security benefits to certain governmental entities; amending Minnesota Statutes 1971, Sections 3.21; 15.181; 16.02, by adding a subdivision; 16.022; 16.0231; 16.07, Subdivision 11; 94.10, Subdivision 1; 138.17, Subdivisions 1 and 7; 138.19; 138.20; 138.21; 331.09; and 355.17.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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Section 1. Minnesota Statutes 1971, Section 3.21, is amended to read:

3.21 STATE GOVERNMENT; UPDATING OPERATIONAL FUNCTIONS; NOTICE. At least four months preceding such election, the attorney general shall furnish to the secretary of state a statement of the purpose and effect of all amendments proposed showing clearly the form of the existing sections, and of the same as they will read if amended, except that when any section to which an amendment is proposed exceeds 150 words in length, the statement shall show that part of the section in which a change is proposed, both in its existing form and as it will read when amended, together with such portions of the context as the attorney general deems necessary to an understanding of the proposed amendment. In the month of October prior to the election, the secretary of state shall give two weeks published notice of such statement in all legal newspapers of the state. The secretary of state shall furnish such statement to such newspapers in plate, mat, or reproduction black and white paper form from seven-and-one-half-point type on eight-point slugs. The maximum rate for such publication shall be ~~\$1.20 per folio net~~ 16 cents per standard line for the two publications. If any newspaper shall refuse the publication of the amendments, this refusal and failure of the publication shall have no effect on the validity of the amendments. The secretary of state shall also forward to each county auditor copies of such statement, in poster form, in quantities sufficient to supply each election district of his county with two copies thereof. The auditor shall cause two copies to be conspicuously posted at or near each polling place on election day. Wilful or negligent failure by any official named to perform any duty imposed upon him by this section shall be deemed a misdemeanor.

Sec. 2. Minnesota Statutes 1971, Section 15.181, is amended to read:

15.181 TRAVEL EXPENSES. Notwithstanding the provisions of any law to the contrary, the head of any state department or agency may advance, from appropriations, the estimated cost of ~~meals, lodging and registration fees~~ all travel expenses to an officer or employee who is to travel ~~out of the state~~ on official business. The commissioner of ~~administration personnel~~ shall prepare such rules and regulations ~~that as~~ he may deem the public interest shall require.

Sec. 3. Minnesota Statutes 1971, Section 16.02, is amended by adding a subdivision to read:

Subd. 2a. To supervise and control all state telecommunication facilities which shall include any transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, optical or other electromagnetic systems. Nothing in this subdivision shall be construed as modifying, amending, or abridging any powers and duties presently vested in or imposed upon the commissioner of highways or the commissioner of public safety re-

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lating to telecommunications facilities.

Sec. 4. Minnesota Statutes 1971, Section 16.022, is amended to read:

16.022 CUSTODY OF PROPERTY FOUND. All such lost or abandoned property, if found, shall be placed in the custody of the commissioner and held by him subject to the following provisions. If the rightful owner of such property is known to the commissioner, no publication of notice of the finding of such property shall be necessary. Notice shall be given to such owner by registered mail of the finding of such property and upon the payment by the owner of all expenses incurred in the search therefor such property shall be turned over to him. If the owner of such lost or abandoned property is unknown, the commissioner shall give two weeks' published notice in the county where such property is found of the finding thereof and elsewhere as the commissioner may determine. If within six months after the publication of such notice or the giving of notice by him the rightful owner thereof claims the property, it shall be turned over to him upon payment of the expenses incurred in finding the same and the cost of the publication of such notice.

If such property is not claimed within the time provided in this section, the commissioner, if such property is not money, is authorized if he determines the property to have sufficient value to have such property sold at public sale after two weeks' published notice thereof in the county wherein such property has been found and in such other newspapers as he may deem advisable. If the commissioner determines the property to not have sufficient value to justify the cost of publication and the expense of public sale he may destroy the property or dispose of it as state surplus property .

Sec. 5. Minnesota Statutes 1971, Section 16.0231, is amended to read:

16.0231 LOST OR ABANDONED PROPERTY. Any lost or abandoned property found in buildings or on lands belonging to or under the control of the state of Minnesota including but not limited to highway right of ways and placed in the custody of the commissioner of administration shall be disposed of in accordance with section 16.022, so far as applicable, except that if the commissioner determines the property to not have sufficient value to justify the cost of publication and the expense of public sale he may destroy the property or dispose of it as state surplus property .

Sec. 6. Minnesota Statutes 1971, Section 16.07, Subdivision 11, is amended to read:

Subd. 11. **NEGOTIATED CONTRACTS.** In lieu of any of the other requirements of section 16.07 the commissioner of administration may negotiate a contract for the doing of public work at a state owned in-

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stitution or installation where the cost does not exceed \$5,000 and where the head of the affected state department or agency requests the commissioner so to do. The commissioner shall cause to be prepared such plans and specifications for the public work as he deems the protection of the public interest to require. Contractor's bonds or security, as provided for in Minnesota Statutes 1971, Chapter 574 shall not be required for contracts entered into pursuant to this subdivision.

Sec. 7. Minnesota Statutes 1971, Section 94.10, Subdivision 1, is amended to read:

94.10 SURVEYS, APPRAISALS AND SALE. Subdivision 1. Before offering any surplus state owned lands for sale, the commissioner of administration ~~shall cause the lands to be surveyed; if said commissioner deems a survey necessary, and to be appraised may survey such lands, and if the value thereof is estimated to be \$5000 or less, may have such lands appraised. He shall have the lands appraised if the estimated value is in excess of \$5000. The appraisal shall be made by not less than three appraisers, at least two of whom shall be residents of the county in which the lands are situated. Each appraiser shall before entering upon the duties of his office take and subscribe an oath that he will faithfully and impartially discharge his duties as appraiser according to the best of his ability and that he is not interested directly or indirectly in any of the lands to be appraised or the timber or improvements thereon or in the purchase thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of such appraisal. Before offering such surplus state owned lands for public sale, such lands shall first be offered to the city, village, borough, county, town, school district, or other public body corporate or politic in which the lands are situated for public purposes and they may be sold for such public purposes for not less than the appraised value thereof. If lands are offered for sale for such public purposes, and if a public body notifies the commissioner of administration of its desire to acquire such lands, the public body may have not to exceed two years from the date of the offer to arrange for the payment of such lands in the manner provided by law.~~

Sec. 8. 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 legislative auditor~~ and director of the Minnesota state historical society, hereinafter director, collectively referred to as the records disposition panel, 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 records disposition panel~~ may by unanimous consent or

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der 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~~ records disposition panel, 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~~ records disposition panel, by unanimous consent, shall have power to direct the storage of any public records of the state, except as herein provided, and to direct the storage of such photographic or other reproductions. 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. 9. Minnesota Statutes 1971, Section 138.17, Subdivision 7, is amended to read:

Subd. 7. **RECORDS MANAGEMENT PROGRAM.** A records management program for the application of efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of official records shall be administered by the commissioner of administration. The commissioner of administration is empowered to establish standards, procedures, and techniques for effective management of public records, to make continuing surveys of paper work operations, and to recommend improvements in current records management practices including the use of space, equipment, and supplies employed in creating, maintaining, preserving and disposing of public records. It shall be the duty of the head of each state agency and the governing body of each county, municipality, and other subdivision of government to cooperate with the commissioner in conducting surveys and to establish and maintain an active, continuing program for the economical and efficient management of the records of said agency, county, municipality, or other subdivision of government. When requested by the commissioner, public officials shall assist in the preparation of an inclusive inventory of records in their custody, to which shall be attached a schedule, approved by the head of the governmental unit or agency having custody of the records and

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the commissioner establishing a time period for the retention or disposal of each series of records. When such schedules are unanimously approved by the ~~attorney general, public examiner and director~~ records disposition panel, the head of the governmental unit or agency having custody of the records may dispose of the type of records listed in the schedule at a time and in a manner therein prescribed even though the records were created after such approval provided a list of records disposed of pursuant to this subdivision shall be forwarded to the commissioner and the director by said head of the governmental unit or agency. The ~~state archivist~~ director shall maintain a list of all records destroyed.

Sec. 10. Minnesota Statutes 1971, Section 138.19, is amended to read:

138.19 APPLICATIONS FOR ORDERS OF THE PANEL. Any officer, department, or agency of the state or any officer or agency of a county, city, village, town, school district, or other municipal subdivision or municipal corporation, is authorized to apply in writing to the ~~Minnesota state historical society~~ director for an order relating to the disposition of any public record. The ~~attorney general, public examiner and director~~ records disposition panel is authorized to consider and act upon such applications and by unanimous consent make such order with respect thereto as they may deem advisable within the powers granted to them.

Sec. 11. Minnesota Statutes 1971, Section 138.20, is amended to read:

138.20 RECORD OF PROCEEDINGS. The director shall keep a record of all orders authorizing the disposition of records. Orders shall be in writing and signed by the ~~attorney general, public examiner and director~~ records disposition panel, and shall identify the 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 director and shall be open to public inspection. Proper records shall be kept by the director showing where any records or reproductions thereof have been stored, and also identifying such as have been ordered destroyed, sold for salvage or disposed of by gift or otherwise.

Sec. 12. Minnesota Statutes 1971, Section 138.21, is amended to read:

138.21 STORAGE SPACE DESIGNATED BY PANEL. When the ~~attorney general, public examiner and director~~ records disposition panel shall have ordered the storage of any public records, or of any such reproductions thereof, the same shall be stored in the space designated by the ~~Minnesota state historical society~~ director.

Sec. 13. Minnesota Statutes 1971, Section 355.17, is amended to
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read:

355.17 MODIFICATION OF AGREEMENT, RETROACTIVE EFFECT. Employing units may individually determine whether they desire inclusion in the state social security agreement, and each employing unit desiring such inclusion shall so indicate by submitting a formal resolution to the state agency, including therein the desired starting date for social security coverage. The state agency, ~~upon consultation with individual employing units and~~ with the approval of the governor, may modify the agreement between the state and the secretary of health, education and welfare with respect to employees of any such employing unit, separately, so as to provide social security coverage therefor retroactive to any date subsequent to December 31, 1955.

Sec. 14. Minnesota Statutes 1971, Section 331.09, is amended to read:

331.09 CONTROVERSY BETWEEN PUBLISHER AND PUBLIC OFFICIAL. In case of controversy or disagreement between a publisher of a newspaper and a public official of this state as to the measurement of any legal notice published or required by law to be published in newspapers, such public official is hereby required to submit a copy of the printed notice to the commissioner of administration, who shall measure such notice and attach thereto a certificate signed by him giving the number of ~~fees~~ lines and the amount of the fees allowed for the publication of such notice.

Approved March 21, 1974.

CHAPTER 185—H.F.No.2144

An act relating to wild animals; affording protection to the wolverine; providing a penalty; amending Minnesota Statutes 1971, Section 97.55, Subdivision 8; and 100.27, Subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 97.55, Subdivision 8, is amended to read:

Subd. 8. **WILD ANIMALS; WOLVERINE; PROTECTED SPECIE.** Every person who shall unlawfully take, buy, sell, transport, or possess marten, otter, fisher, wolverine, moose, elk, or caribou shall be guilty of a gross misdemeanor.

Sec. 2. Minnesota Statutes 1971, Section 100.27, Subdivision 1, is amended to read:

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