

CHAPTER 553—H. F. No. 1571

An act pertaining to the production, custody, care, preservation, and disposal of public records; and amending Mason's Minnesota Statutes of 1927, Sections 8008-1, 8008-2, and 10013.

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

Section 1. Shall keep official records.—All officers and agencies of the state, and all officers and agencies of the counties, cities, villages, and towns, shall make and keep all records necessary to a full and accurate knowledge of their official activities. All such public records shall be made on paper of durable quality and with the use of ink, carbon papers, and typewriter ribbons of such quality as to insure permanent records. Every public officer and agency is empowered to record or copy public records by any photographic device, approved by the Minnesota historical society, which clearly and accurately records or copies them.

Sec. 2. Chief officer shall be responsible for records.—The chief administrative officer of each public agency shall be responsible for the preservation and care of the agency's public records, which shall include written or printed books, papers, letters, contracts, documents, maps, plans, and other records made or received pursuant to law or in connection with the transaction of public business. It shall be the duty of each such agency, and of the chief administrative officer thereof, to carefully protect and preserve public records from deterioration, mutilation, loss or destruction. Records of record books may be repaired, renovated, or rebound when necessary to preserve them properly.

Sec. 3. Shall deliver to successor.—Every legal custodian of public records, at the expiration of his term of office or authority, or on his death his legal representative, shall deliver to his successor in office all public records in his custody; and the successor shall receipt therefor to his predecessor or his legal representative and shall file in his office a signed acknowledgment of the delivery. Every public officer shall demand from his predecessor in office, or his legal representative, the delivery of all public records belonging to his office.

Sec. 4. Shall be accessible to public.—Every custodian of public records shall keep them in such arrangement and condition as to make them easily accessible for convenient use. Except as otherwise expressly provided by law, he shall permit all public records in his custody to be inspected,

examined, abstracted, or copied, at reasonable times and under his supervision and regulation by any person; and he shall, upon the demand of any person furnish certified copies thereof on payment in advance of fees not to exceed the fees prescribed by law.

Sec. 5. Law amended—may destroy certain records.—Mason's Minnesota Statutes of 1927, Section 8008-1, is hereby amended as follows:

"The Minnesota Historical Society is hereby authorized to receive and is made the custodian of such records, files, documents, books, and papers as may be turned over to it from any of the public offices of the state, including state, county, city, village, and township offices. *The Minnesota Historical Society is hereby authorized to destroy all such records, documents, and papers, which it deems to be without legal or administrative value or historical interest, provided, however, that no public document less than six years old shall be destroyed. An accurate descriptive list of the records so disposed of and a record of the disposal itself shall be filed and preserved by the Minnesota Historical Society and by the department or agency in which the records originated.* It shall provide for the classification, arranging, and indexing of all public records which it deems to be of sufficient value and interest to preserve, so that they may be made available for the use of the public. Copies and photographic reproductions of all such papers, documents, files, and records, including reproduction of records, the originals of which have been destroyed, when certified under oath as true copies by the superintendent of the said society, shall be admitted as evidence in all courts, with the same effect as if certified to by the original custodian thereof."

Sec. 6. Law amended—officials to turn records over to Minnesota Historical Society.—Mason's Minnesota Statutes of 1927, Section 8008-2 is hereby amended to read as follows:

"Any public official is hereby authorized, upon the conditions hereinafter provided, to turn over to the said society, such records, files, documents, books, and papers in his custody as are not in current use; provided, however, that said society shall present to such official a petition or application in which such records, files, documents, books, or papers shall be described in terms sufficient to identify the same, and which said petition shall be approved by the Governor, in case of the state officer, the board of county commissioners, in case of a county officer, and by the governing body of any city, village or town in case of a city, village or town officer,

and which said application shall be filed in the office from which said records, files, documents, books, or papers have been turned over to said society; provided, also, that this act shall not repeal or annul the provisions of Section 145 of *Mason's Minnesota Statutes of 1927.*"

Sec. 7. Offenses—punishment.—Mason's Minnesota Statutes of 1927, Section 10013, is hereby amended to read as follows:

"Every person who shall wilfully and unlawfully remove, mutilate, destroy, conceal, *alter, deface*, or obliterate a record, map, book, paper, document, or other thing filed or deposited in a public office or with any public officer by authority of law, or *any public officer or employee who permits any other person to do so* shall be punished by imprisonment in the state prison for not more than five years, or by a fine of not more than \$500.00, or by both."

Approved April 28, 1941.

CHAPTER 554—H. F. No. 1583

An act relating to unemployment compensation and a state system of public employment offices; amending Mason's Supplement 1940, Sections 4337-22 to 4337-41, inclusive, and 4337-42, and repealing Mason's Supplement 1940, Section 4337-32a, and 4337-32b and to amend the title of Chapter 2, Extra Session Laws of 1936, to provide for the appointment of an additional assistant attorney general to be assigned to the division of employment and security.

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

Section 1. Law amended—definitions.—Mason's Supplement 1940, Section 4337-22, is hereby amended to read as follows:

As used in this act, unless the context clearly requires otherwise—

A. "Base period" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year.