CHAPTER 138

HISTORICAL SOCIETIES; SITES; ARCHIVES; ARCHAEOLOGY; FOLKLIFE

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HISTORICAL SOCIETIES

138.01 MINNESOTA HISTORICAL SOCIETY; FINANCES.

Subdivision 1. **Appropriations subject to charter.** All appropriations made to the Minnesota Historical Society shall be subject to the charter of the Minnesota Historical Society of 1849 and as amended in 1856.

Subd. 2. **Salary, expenses.** From appropriations made to the Minnesota Historical Society, employees, with the exception of the director, shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service. Money necessary to meet expenses shall be paid to the society upon certification by the director of the Minnesota Historical Society of the amount to the commissioner of management and budget.

Subd. 3. **Expenditures.** Money appropriated to the Minnesota Historical Society shall be expended in the manner and under the terms and conditions described by the governing body of the Minnesota Historical Society.

Subd. 4. **Insurance.** The Minnesota Historical Society may use state money to buy fire, wind, hail, and vandalism insurance.

Subd. 5. **Biennial appropriations.** The Minnesota Historical Society shall receive specific appropriations each biennium to carry out the purposes of subdivision 2. The appropriation must be sufficient to pay for salary and benefit-related increases as determined by the commissioner of management and budget in the commissioner's plan in accordance with section 43A.18, subdivision 2, and the legislature.

History: *(53-47) 1925 c 426 art 19 s 1; 1976 c 163 s 27; 1979 c 337 s 14; 1994 c 632 art 4 s 47; 1996 c 452 s 30; 2008 c 204 s 42; 2009 c 101 art 2 s 109*

138.02 [Repealed, 1979 c 32 s 1]

138.025 [Repealed, 1993 c 181 s 14]

138.027 [Repealed, 1993 c 181 s 14]

138.03 CUSTODIAN OF RECORDS.

Subdivision 1. **Generally.** 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 two copies of each thereof shall be sent immediately to the Library of Congress.

Subd. 2. [Repealed, 1961 c 175 s 14]

Subd. 3. [Repealed, 1961 c 175 s 14]

Subd. 4. [Repealed, 1961 c 175 s 14]

Subd. 5. [Repealed, 1961 c 175 s 14]

History: *(8008-1) 1919 c 170 s 1; 1941 c 553 s 5; 1947 c 365 s 2; 1973 c 32 s 1*

138.035 STATE HISTORICAL SOCIETY AUTHORIZED TO SUPPORT THE SCIENCE MUSEUM OF MINNESOTA.

The State Historical Society is authorized to enter into an agreement or agreements with the Science Museum of Minnesota whereby the State Historical Society shall make payments to such museum to support and expand its programs and to develop an extension program to bring the facilities of such museum to schools throughout the state. Such agreement or agreements shall provide for the time, amount and method of such payments.

History: *1971 c 910 s 1*

138.04 [Repealed, 1961 c 175 s 14]

138.043 [Repealed, 1961 c 175 s 14]

138.05 [Repealed, 1957 c 394 s 3]

138.051 COUNTY HISTORICAL SOCIETIES.

The county board of any county, or the governing body of any municipal corporation, school district or public library therein, is hereby authorized and empowered to set apart and furnish a suitable room or space in the courthouse of the county, or in any of its municipal, school or library buildings, as the case may be, for the purposes and use of the historical society of such county, and to furnish light and heat therefor, or the county board may in its discretion construct or otherwise provide and furnish other suitable housing in the county for such purposes and use.

History: *(5670-11) 1929 c 324 s 1; 1957 c 394 s 1*

138.052 TAX LEVY.

The county board of any county is authorized and empowered to appropriate, out of the revenue fund of such county or out of the proceeds from a special tax levy upon all the taxable property in the county, such sum as it may deem advisable, to be paid to the historical society of such county, to be used for the promotion of historical work within the borders thereof, and for the collection, preservation and publication of historical material, and to disseminate historical information of the county, and in general to defray the expense of carrying on the historical work in such county; provided that no county board is authorized to appropriate any funds for the benefit of any county historical society unless such society shall be affiliated with and approved by the Minnesota Historical Society.

History: *1957 c 394 s 2*

138.0525 COUNTY AND LOCAL HISTORIC PRESERVATION CAPITAL GRANTS.

Subdivision 1. **Historic preservation capital grant program established.** The Minnesota Historical Society may make grants to political subdivisions to pay up to 50 percent of the eligible project capital costs to restore an historic structure owned by the political subdivision, as incurred according to the project grant agreement and state law governing the project.

Subd. 2. **Match requirement.** The political subdivision receiving a grant must provide for the remainder of the costs of the project.

Subd. 3. **Criteria.** The Minnesota Historical Society may set criteria for program priorities and standards of review.

History: *2008 c 179 s 49*

138.053 COUNTY HISTORICAL SOCIETY; TAX LEVY; CITIES OR TOWNS.

The governing body of any home rule charter or statutory city or town may annually appropriate from its general fund an amount not to exceed 0.02418 percent of estimated market value, derived from ad valorem taxes on property or other revenues, to be paid to the historical society of its respective city, town, or county to be used for the promotion of historical work and to aid in defraying the expenses of carrying on the historical work in the city, town, or county. No city or town may appropriate any funds for the benefit of any historical society unless the society is affiliated with and approved by the Minnesota Historical Society.

History: *1963 c 129 s 1; 1973 c 123 art 5 s 7; 1973 c 773 s 1; 1983 c 315 s 1; 1988 c 719 art 5 s 84; 1989 c 277 art 4 s 11; 1994 c 505 art 3 s 4; 2008 c 158 s 1; 2013 c 143 art 14 s 16; 1Sp2019 c 6 art 4 s 3*

138.054 MINNESOTA HISTORY AND GOVERNMENT LEARNING CENTER.

Subdivision 1. **Public policy.** The legislature of the state of Minnesota hereby declares that it is an important purpose and function of state government to preserve the people's appreciation of the heritage of the state and to promote and enrich their knowledge and understanding of the government and political tradition of the state; and that there is an urgent need to further these goals by: supporting research; developing resource materials and workshops for public and nonpublic high school students, university interns, and teachers; and utilizing the unique talents and experience of the members of the legislative, executive and judicial branches of the state government.

Subd. 2. **Establishment.** (a) There is hereby established a Minnesota History and Government Learning Center.

(b) The center shall be cosponsored by the Minnesota Historical Society, the Board of Trustees of the Minnesota State Colleges and Universities, and the Department of Education.

(c) The headquarters of the center shall be the Minnesota Historical Society.

(d) The director of the Minnesota Historical Society shall appoint the administrator of the center after consultation with the Executive Council of the Minnesota Historical Society, the chancellor of the Board of Trustees of the Minnesota State Colleges and Universities and the commissioner of education.

(e) High school and university students selected for workshops sponsored by the center shall be apportioned evenly among the legislative districts of the state.

History: *1974 c 355 s 45 subds 1,2; 1975 c 321 s 2; 1Sp1995 c 3 art 16 s 13; 1996 c 395 s 18; 1998 c 398 art 5 s 55; 2003 c 130 s 12*

138.06 [Repealed, 1957 c 394 s 3]

138.07 [Repealed, 1957 c 394 s 3]

138.071 [Repealed, 1957 c 394 s 3]

138.08 [Repealed, 1975 c 353 s 41]

138.081 FEDERAL FUNDS, ACTS.

Subdivision 1. **Department of Administration as agency to accept federal funds.** The Department of Administration is hereby designated the state agency with power to accept any and all money provided for or made available to this state by the United States of America or any department or agency thereof for surveys, restoration, construction, equipping, or other purposes relating to the State Historic Preservation Program in accordance with the provisions of federal law and any rules or regulations promulgated thereunder and are 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 money.

Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic preservation officer shall be responsible for the preparation, implementation and administration of the State Historic Preservation Plan and shall administer the State Historic Preservation Program authorized by the National Historic Preservation Act (United States Code, title 54, section 300101 et seq.). The commissioner shall review and approve in writing all grants-in-aid for architectural, archaeological and historic preservation made by state agencies and funded by the state or a combination of state and federal funds in accordance with the State Historic Preservation Program.

Subd. 3. **Administration of federal act.** The Minnesota Historical Society is designated as the state agency to administer the provisions of the federal act providing for the preservation of historical and archaeological data, United States Code, title 54, section 312501, as amended, insofar as the provisions of the act provide for implementation by the state.

History: *1969 c 894 s 8; 1974 c 249 s 1; 1976 c 316 s 1; 1978 c 717 s 1; 2014 c 174 s 3; 1Sp2017 c 4 art 2 s 29; 2021 c 31 art 1 s 16,17; 2023 c 62 art 2 s 90*

138.09 [Renumbered 138.586]

ARCHIVES

138.13 [Repealed, 1971 c 529 s 15]

138.14 [Repealed, 1971 c 529 s 15]

138.15 [Repealed, 1961 c 175 s 14]

138.16 [Repealed, 1971 c 529 s 15]

138.161 STATE ARCHIVES; ESTABLISHMENT.

State archives are hereby established and shall be administered by the Minnesota Historical Society.

History: *1971 c 529 s 1; 1982 c 573 s 2*

138.162 [Repealed, 1978 c 717 s 4]

138.163 PRESERVATION AND DISPOSAL OF PUBLIC RECORDS.

It is the policy of the legislature that the disposal and preservation of public records be controlled exclusively by this chapter and by Laws 1971, chapter 529, thus, no prior, special or general statute shall be construed to authorize or prevent the disposal of public records at a time or in a manner different than prescribed by such chapter or by Laws 1971, chapter 529 and no general or special statute enacted subsequent to Laws 1971, chapter 529 shall be construed to authorize or prevent the disposal of public records at a time

or in a manner different than prescribed in this chapter or in Laws 1971, chapter 529 unless it expressly exempts such records from the provisions of such chapter and Laws 1971, chapter 529 by specific reference to this section.

History: *1971 c 529 s 3*

138.17 GOVERNMENT RECORDS; ADMINISTRATION.

Subdivision 1. **Destruction, preservation, reproduction of records; prima facie evidence.** (a) The attorney general, legislative auditor in the case of state records, state auditor in the case of local records, and director of the Minnesota Historical Society, hereinafter director, shall constitute the Records Disposition Panel. The members of the panel shall have power by majority vote to direct the destruction or sale for salvage of government records determined to be no longer of any value, or to direct the disposition by gift to the Minnesota Historical Society or otherwise of government records determined to be valuable for preservation. The Records Disposition Panel may by majority vote order any of those records to be reproduced by photographic or other means, and order that photographic or other reproductions be substituted for the originals of them. It may direct the destruction or sale for salvage or other disposition of the originals from which they were made. Photographic or other reproductions shall for all purposes be deemed the originals of the records reproduced when so ordered by the 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 a photographic, optical disk imaging, or other reproduction, or an enlargement or reduction of it, shall have the same effect and weight as evidence as would a certified or exemplified copy of the original. The Records Disposition Panel, by majority vote, may direct the storage of government records, except as herein provided, and direct the storage of photographic or other reproductions. Photographic or other reproductions substituted for original records shall be disposed of in accordance with the procedures provided for the original records.

(b) For the purposes of this chapter:

(1) the term "government records" means state and local records, including all cards, correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings, reports, tapes, writings, optical disks, and other data, information, or documentary material, regardless of physical form or characteristics, storage media or conditions of use, made or received by an officer or agency of the state and an officer or agency of a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity within the state pursuant to state law or in connection with the transaction of public business by an officer or agency;

(2) the term "state record" means a record of a department, office, officer, commission, commissioner, 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 a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity;

(4) the term "records" excludes 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, and bonds, coupons, or other obligations or evidences of indebtedness, the destruction or other disposition of which is governed by other laws;

(5) the term "state archives" means 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 in them, when determined to have sufficient historical or other value to warrant continued preservation by the state of Minnesota and accepted for inclusion in the collections of the Minnesota Historical Society.

(c) If the decision is made to dispose of records by majority vote, the Minnesota Historical Society may acquire and retain whatever they determine to be of potential historical value.

Subd. 1a. **Records inspection.** Government records which a state agency, political subdivision, or statewide system lists on a records disposition application or records schedule, or on which archival assistance or advice is requested, may be inspected by state archives' employees if state archives gives prior notice. Employees of the archives shall have access to the records for the purpose of determining the historical or other continuing value of the records, regardless of the records' classification pursuant to chapter 13 or 270B. Employees of the archives shall be liable to the penalties set forth for improper disclosure by them of private, confidential, nonpublic, or protected nonpublic data inspected for this purpose.

Subd. 1b. **Transfer process.** After July 1, 1982, all records deemed to be of continuing value and authorized for transfer to the archives by the Records Disposition Panel shall be retained by the requesting agency or may be transferred to the archives in accordance with subdivision 1, notwithstanding the provisions of chapter 13. The responsible authority of the state agency, political subdivision, or statewide system transferring records to the archives shall notify the archivist or a designee with regard to the records transferred of the classification of the records pursuant to chapter 13.

Subd. 1c. **Access to archives records.** (a) All records transferred to the archives shall be accessible to the public unless the archives determines that the information:

(1) was compiled for law enforcement purposes and disclosure would (i) materially impair the effectiveness of an ongoing investigation, criminal intelligence operation, or law enforcement proceeding; (ii) identify a confidential informant; (iii) reveal confidential investigative techniques or procedures, including criminal intelligence activity; or (iv) endanger the life of an individual;

(2) is administrative or technical information, including software, operating protocols, employee manuals, or other information, the disclosure of which would jeopardize the security of a record-keeping system;

(3) is proprietary information, including computer programs and software and other types of information manufactured or marketed by persons under exclusive legal right, owned by the agency or entrusted to it;

(4) contains trade secrets or confidential commercial and financial information obtained, upon request, from a person;

(5) is library, archival, or museum material contributed by private persons to the extent of any lawful limitation imposed upon the material; or

(6) if disclosed, would constitute a clearly unwarranted invasion of personal privacy. Disclosure of an individually identifiable record does not constitute a clearly unwarranted invasion of personal privacy if the public interest in disclosure outweighs the privacy interest of the individual.

(b) The society may withhold access to state archives from any person who willfully mutilates, damages, or defaces archival records, or wrongfully removes them from state archives; provided that the society shall notify the person of the decision to withhold access, and the person may, within 30 days, appeal the decision to the Executive Council of the society.

(c) The state archivist shall notify any person from whom access is withheld pursuant to paragraph (a). The person may, within 30 days of the day the notice is sent, appeal the archivist's determination to the Executive Council of the society. The Executive Council shall, within 30 days of the filing of an appeal, issue a decision determining if the archivist has correctly applied the standards of paragraph (a). The decision of the Executive Council may be appealed to the District Court of Ramsey County.

Subd. 2. [Repealed, 1971 c 529 s 15]

Subd. 3. **University; State Agricultural Society; Minnesota Historical Society.** Laws 1971, chapter 529, sections 1 to 14 shall not apply to the public records of the University of Minnesota, the Minnesota State Agriculture Society, or the Minnesota Historical Society.

Subd. 4. **State library.** No public records of the Minnesota State Library shall be subject to the disposition or orders provided by Laws 1971, chapter 529, except with the consent of the state librarian.

Subd. 5. **Supreme court.** No public records of the supreme court shall be subject to the disposition or orders provided by Laws 1971, chapter 529, except with the consent of the court.

Subd. 6. **Archivist; equipment; supplies.** The Minnesota Historical Society shall employ a professional archivist, who shall be known as the state archivist, and other agents and personnel as are necessary to enable it to carry out its duties and powers. The archivist shall be appointed by the director of the society.

Subd. 7. **Records management.** 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 establish and maintain an active, continuing program for the economical and efficient management of the records of each agency, county, municipality, or other subdivision of government. Public officials shall prepare 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, establishing a time period for the retention or disposal of each series of records. When the schedule is unanimously approved by the 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 prescribed in the schedule for particular records which were created after the approval. A list of records disposed of pursuant to this subdivision shall be maintained by the governmental unit or agency. When records containing not public data as defined in section 13.02, subdivision 8a, are being disposed of under this subdivision, the records must be destroyed in a way that prevents their contents from being determined.

Subd. 8. **Emergency records preservation.** Every county, municipality, or other subdivision of government may institute a program for the preservation of necessary documents essential to the continuity of government in the event of a disaster or emergency.

Subd. 9. [Repealed, 2007 c 76 s 2]

Subd. 10. [Repealed, 2007 c 76 s 2]

History: *1947 c 547 s 5; 1961 c 175 s 3-8; 1963 c 695 s 2,3; 1971 c 529 s 4-10; 1973 c 32 s 2,3; 1973 c 123 art 5 s 7; 1974 c 184 s 8,9; 1976 c 324 s 22; 1978 c 717 s 2; 1981 c 311 s 39; 1982 c 545 s 24; 1982 c 573 s 3-8; 1986 c 444; 1987 c 365 s 18; 1990 c 506 art 2 s 17,18; 1991 c 291 art 21 s 4; 1991 c 345 art 1 s 77; 1993 c 71 s 2; 1997 c 202 art 3 s 35; 1999 c 250 art 1 s 80,81; 2001 c 202 s 10; 2005 c 156 art 5 s 23; 2006 c 212 art 1 s 5; 2006 c 233 s 6; 2006 c 253 s 7,8*

138.18 [Repealed, 1982 c 573 s 14]

138.19 APPLICATIONS FOR ORDERS OF THE PANEL.

An officer, department, or agency of the state or an officer or agency of a county, city, town, school district, municipal subdivision or corporation, or other public authority or political entity shall apply in writing to the archivist for an order relating to the disposition of any government record. The records disposition panel shall consider and act upon applications and by unanimous consent make orders with respect to them.

History: *1947 c 547 s 7; 1961 c 175 s 10; 1971 c 529 s 12; 1973 c 123 art 5 s 7; 1974 c 184 s 10; 1982 c 573 s 9*

138.20 RECORD OF PROCEEDINGS.

The archivist shall keep a record of all orders authorizing the disposition of records. Orders shall be in writing and signed by the Records Disposition Panel, and shall identify the records referred to in them. A certified copy of an order shall be admissible in evidence in any court or proceeding. The records shall be preserved in the Office of the Archivist and shall be open to public inspection. Proper records shall be kept by the archivist showing where records or reproductions of them have been stored, and also identifying any that have been ordered destroyed, sold for salvage or disposed of by gift or otherwise.

History: *1947 c 547 s 8; 1961 c 175 s 11; 1971 c 529 s 13; 1974 c 184 s 11; 1982 c 573 s 10*

138.21 STORAGE SPACE DESIGNATED BY PANEL.

The Minnesota Historical Society may direct the storage of government records, including photographic or other reproductions which are state archives.

History: *1947 c 547 s 9; 1961 c 175 s 12; 1971 c 529 s 14; 1974 c 184 s 12; 1982 c 573 s 11*

138.22 [Repealed, 1987 c 365 s 25]

138.225 PROHIBITION AGAINST UNAUTHORIZED DISPOSAL OF RECORDS; PENALTY.

Government records shall not be destroyed except by the authority of the records disposition panel. A person who intentionally and unlawfully removes, mutilates, destroys, conceals, alters, defaces or obliterates a record filed or deposited in a public office or with a public officer by authority of law or in state archives, or a public officer or employee who knowingly permits any other person to do any of the foregoing acts, is guilty of a misdemeanor.

History: *1982 c 573 s 12*

138.226 REPLEVIN AUTHORITY.

The attorney general may replevin public records which have been unlawfully transferred or removed in violation of sections 15.17, subdivisions 2 and 3; 138.163; 138.17; and 138.21. The records shall be returned to the office of origin, or, in the case of state archives, to the society.

History: *1982 c 573 s 13*

138.23 [Repealed, 1971 c 529 s 15]

138.24 [Repealed, 1971 c 529 s 15]

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.

History: *1973 c 32 s 4*

FIELD ARCHAEOLOGY

138.31 DEFINITIONS.

Subdivision 1. **Scope.** As used in sections 138.31 to 138.42, the terms defined in this section have the meanings given them.

Subd. 2. MS 2000 [Renumbered subd 14]

Subd. 2. **Archaeological methods.** "Archaeological methods" means scientific procedures used in field archaeology by recognized professional authorities on archaeology.

Subd. 3. MS 2000 [Renumbered subd 13]

Subd. 3. **Commissioner.** "Commissioner" means the commissioner of administration.

Subd. 4. MS 2000 [Renumbered subd 9]

Subd. 4. **Custodian.** "Custodian" means any school or scientific institution which has the physical possession of objects of archaeological significance or data belonging to the state.

Subd. 5. MS 2000 [Renumbered subd 7]

Subd. 5. **Data.** "Data" means field notes, photographs, maps, and other records relating to field archaeology.

Subd. 6. **Director of the historical society.** "Director of the historical society" means the director of the Minnesota Historical Society.

Subd. 7. MS 2000 [Renumbered subd 8]

Subd. 7. **Field archaeology.** "Field archaeology" means the study of the traces of human culture at any land or water site by means of surveying, digging, sampling, excavating, or removing objects, or going on a site with that intent.

Subd. 8. MS 2000 [Renumbered subd 15]

Subd. 8. **Historical society.** "Historical society" means the Minnesota Historical Society.

Subd. 9. MS 2000 [Renumbered subd 11]

Subd. 9. **Object.** "Object" means a natural or artificial article, implement, skeleton, bone, or other item of archaeological interest.

Subd. 10. MS 2000 [Renumbered subd 12]

Subd. 10. **Qualified professional archaeologist.** "Qualified professional archaeologist" means an archaeologist who meets the United States Secretary of the Interior's professional qualification standards in Code of Federal Regulations, title 36, part 61, appendix A, or subsequent revisions.

Subd. 11. MS 2000 [Renumbered subd 2]

Subd. 11. **Schools.** "Schools" means universities, colleges, and community colleges, whether publicly or privately owned.

Subd. 12. MS 2000 [Renumbered subd 5]

Subd. 12. **Scientific institutions.** "Scientific institutions" means museums, historical societies, foundations for archaeological study, state agencies, and scholarly groups with professional standing and physical facilities for the display, study, and preservation of objects of archaeological interest.

Subd. 13. MS 2000 [Renumbered subd 4]

Subd. 13. **Site or archaeological site.** "Site" or "archaeological site" has the same meaning as "state site" or "state archaeological site."

Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office" means the State Historic Preservation Office at the Department of Administration.

Subd. 14. MS 2000 [Renumbered subd 10]

Subd. 14. **State site or state archaeological site.** "State site" or "state archaeological site" means a land or water area, owned or leased by or subject to the paramount right of the state, county, township, or municipality where there are objects or other evidence of archaeological interest. This term includes all aboriginal mounds and earthworks, ancient burial grounds, prehistoric ruins, historical remains, and other archaeological features on state land or on land subject to the paramount rights of the state. Historical remains do not include bottles or ceramics manufactured after 1875.

Subd. 15. **The university.** "The university" means the University of Minnesota.

History: *1963 c 5 s 1; 1971 c 48 s 1; 1973 c 349 s 2; 1986 c 444; 1997 c 202 art 2 s 37; 2002 c 298 s 3; 2021 c 31 art 1 s 18*

138.32 LEGISLATIVE INTENT.

The state of Minnesota reserves to itself the exclusive right and privilege of field archaeology on state sites, in order to protect and preserve archaeological and scientific information, matter, and objects.

It is a declaration and statement of legislative intent that field archaeology on privately owned lands should be discouraged except in accordance with both the provisions and spirit of sections 138.31 to 138.42; and persons having knowledge of the location of archaeological sites are encouraged to communicate such information to the state archaeologist.

History: *1963 c 5 s 2*

138.33 UNLICENSED FIELD ARCHAEOLOGY PROHIBITED.

No person, including state or other public employees other than the state archaeologist and individuals duly licensed by the director of the Minnesota Historical Society shall engage in any field archaeology on any state site.

History: *1963 c 5 s 3; 1971 c 48 s 2*

138.34 ADMINISTRATION OF THE ACT.

The state archaeologist shall act as the agent of the state to administer and enforce the provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the society and the State Historic Preservation Office.

History: *1963 c 5 s 4; 1994 c 632 art 4 s 48; 2021 c 31 art 1 s 19*

138.35 STATE ARCHAEOLOGIST.

Subdivision 1. **Appointment.** The state archaeologist shall be a qualified professional archaeologist appointed by the commissioner of administration in consultation with the Executive Council of the Minnesota Historical Society, the Indian Affairs Council, and other interested parties to perform the duties in sections 138.31 to 138.42.

Subd. 1a. **Administrative support; staff.** The commissioner of administration shall provide the state archaeologist with necessary administrative services. State agencies shall provide the state archaeologist upon request with advisory staff services on matters relating to the duties and jurisdiction of the state archaeologist. The state archaeologist shall hire staff and maintain offices as necessary to perform the duties in sections 138.31 to 138.42.

Subd. 1b. **Contracts; volunteers; grants and gifts.** The state archaeologist may contract with the federal government, local governmental units, other states, the university and other educational institutions, and private persons or organizations as necessary in the performance of the duties in sections 138.31 to 138.42. Contracts made under this section for professional services shall not be subject to chapter 16C, as it relates to competitive bidding. The state archaeologist may recruit, train, and accept, without regard to personnel laws or rules, the services of individuals as volunteers for or in aid of performance of the state archaeologist's duties, and may provide for the incidental expenses of volunteers, such as transportation, lodging, and subsistence. The state archaeologist may apply for, receive, and expend grants and gifts of money consistent with the powers and duties in sections 138.31 to 138.42. Any money so received is appropriated for the purpose for which it was granted.

Subd. 2. **Duties of state archaeologist.** The duties of the state archaeologist shall include the following:

(1) to sponsor, engage in, and direct fundamental research into the archaeology of this state and to encourage and coordinate archaeological research and investigation undertaken within the state;

(2) to cooperate with other agencies of the state which may have authority in areas where state sites are located, or which may have the responsibility for marking state sites, or arranging for their being viewed by the public;

(3) to protect to the extent possible and to encourage the preservation of archaeological sites located on privately owned property;

(4) to retrieve and protect objects of archaeological significance discovered by field archaeology on state sites or discovered during the course of any public construction or demolition work and, to the extent possible, those discovered during the course of any other construction or demolition work;

(5) to obtain for the state other objects of archaeological significance, and data relating thereto;

(6) to cooperate with the historical society, the university, and other custodians to preserve objects of archaeological significance, together with the data relating thereto;

(7) to disseminate archaeological facts through the publication of reports of archaeological research conducted within the state;

(8) to approve licensing of qualified professional archaeologists to engage in field archaeology on state sites, as provided in section 138.36; and

(9) to otherwise carry out and enforce sections 138.31 to 138.42.

Subd. 3. [Repealed, 1997 c 202 art 2 s 38,64]

History: *1963 c 5 s 5; 1978 c 717 s 3; 1986 c 323 s 1; 1994 c 632 art 4 s 49; 1996 c 452 s 31; 1997 c 202 art 2 s 38; 1998 c 386 art 2 s 55; 1999 c 91 s 1,2*

138.36 LICENSES.

Subdivision 1. **Content; issuance.** The director of the historical society and the state archaeologist shall formulate and issue such provisions for licenses as are required to carry out and enforce sections 138.31 to 138.42.

Subd. 2. **Power to issue.** The director of the Minnesota Historical Society, acting as an agent of the state, may issue a license to a qualified person approved by the state archaeologist to engage in field archaeology on a specified state site. The director of the Minnesota Historical Society may also issue a license to a qualified person, either in connection with the right to engage in field archaeology on a specified site, or alone, to engage in purely preliminary or exploratory activities in a specified area where a site is thought to exist. If a state site or an area to be described in a license is under the jurisdiction of any other agency of the state, or, if the field archaeology to be licensed may interfere with a project of any other agency, the applicant for a permit shall obtain the approval of that agency. The attorney general upon recommendation of the director of the historical society may apply to the district court for injunctive relief to restrain activities which in the director's opinion may damage historical or archaeological sites on public lands or waters.

Subd. 3. **Emergency licenses.** The director of the historical society or the state archaeologist may waive or abridge provisions of sections 138.31 to 138.42 in an emergency in which objects of interest to the state are found in the course of construction or demolition work, or in other situations in which time is of the essence to save objects or gather data. The director of the historical society or the state archaeologist may issue short form emergency licenses to persons not otherwise qualified to enable them to salvage objects or gather data in the time available.

Subd. 4. **Renewal of licenses.** The director of the Minnesota Historical Society may renew any license for another calendar year. The application for renewal shall be made in the form and contain the information required by the state archaeologist.

Subd. 5. **Revocation and suspension.** The director of the historical society or the state archaeologist may revoke or suspend a license because of the improper conduct of the licensee, the use of improper or substandard methods, or other good cause.

Subd. 6. **Review of license decisions.** Any person whose application for a license under this section has been denied or whose license has been modified, suspended, or revoked, may appeal the decision within 30 days of receiving written notice of the decision by filing a written request with the commissioner for a contested case hearing under chapter 14. If the applicant does not request a contested case hearing within 30 days after receiving written notice of the decision, the decision becomes final and the applicant may not appeal the decision.

History: *1963 c 5 s 6; 1971 c 48 s 3; 1986 c 444; 2002 c 298 s 4*

138.37 OWNERSHIP, CUSTODY AND USE OF OBJECTS AND DATA.

Subdivision 1. **Title to objects and data.** The state reserves to itself the title to all objects found and data gathered in field archaeology, except as provided in subdivisions 2 and 3. Although a license may name a custodian other than the state archaeologist, title to the objects and data nevertheless is reserved to the state, and physical possession of them reverts to the state if the custodian named ceases to exist, or if the state archaeologist finds that the custodian is not properly caring for them or keeping them conveniently available for study by students of archaeology.

Subd. 2. **Field archaeology on behalf of nonresident schools and scientific institutions.** The director of the Minnesota Historical Society, with the approval of the state archaeologist, may agree for the state with an agency of another state, or with a school or scientific institution of another state, to permit qualified persons acting for the nonresident agency, school, or institution to be licensed to engage in field archaeology in this state. Under such an agreement, the director of the historical society and the state archaeologist shall, at the time the license is issued, determine the disposition of the objects found.

Subd. 3. **Disposal of and acquisition of objects.** If the best interests of this state are deemed served thereby, the state archaeologist, with the approval of the director of the historical society, may barter one or more objects belonging to this state for one or more objects belonging to another state, a private person, or any school, scientific institution, or other body having title thereto; and the state archaeologist, with the approval of the director of the historical society, may dispose of one or more objects belonging to this state. The state archaeologist and director of the Minnesota Historical Society may accept on behalf of the state any gift of an object, of data, or of any deed to a privately owned site if they deem the gift valuable to the state under the provisions of sections 138.31 to 138.42; they may also accept any gift of money to be used for one or more of the purposes covered by sections 138.31 to 138.42, but shall be held strictly accountable to the state for the use made of any such gift of money.

History: *1963 c 5 s 7*

138.38 REPORTS OF STATE ARCHAEOLOGIST.

The state archaeologist shall consult with and keep the Indian Affairs Council, the director of the historical society, and the State Historic Preservation Office informed as to significant field archaeology, projected or in progress, and as to significant discoveries made. Annually, and also upon leaving office, the state archaeologist shall file with the commissioner a full report of the office's activities including a summary of the activities of licensees, from the date of the last full report of the state archaeologist. Copies of the report must be sent upon completion to the Minnesota Historical Society, the Indian Affairs Council, and the State Historic Preservation Office, and made available to other interested parties.

History: *1963 c 5 s 8; 1986 c 444; 1994 c 632 art 4 s 50; 2002 c 298 s 5; 1Sp2021 c 12 art 2 s 9*

138.39 RULES.

The commissioner may adopt rules to carry out sections 138.31 to 138.42. In making such rules the commissioner must consult with other agencies of the state whose activities may be affected by the rules.

History: *1963 c 5 s 9; 1985 c 248 s 70; 2002 c 298 s 6*

138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.

Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of Transportation, and all other state agencies whose activities may be affected, shall cooperate with the historical society, the State Historic Preservation Office, and the state archaeologist to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but sections 138.31 to 138.42 are not meant to burden persons who wish to use state property for recreational and other lawful purposes or to unnecessarily restrict the use of state property.

Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42. Conservation officers and other enforcement officers of the Department of Natural Resources shall enforce the provisions of sections 138.31 to 138.42 and report violations to the state archeologist. When archaeological or historic sites are known or, based on scientific investigations are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall use the professional services of archaeologists from the University of Minnesota, Minnesota Historical Society, or other qualified professional archaeologists, to preserve these sites. In the event that archaeological excavation is required to protect or preserve these sites, state and other governmental agencies may use their funds for such activities.

Subd. 3. **Review of plans.** When significant archaeological or historic sites are known or, based on scientific investigations, are predicted to exist on public lands or waters, the agency or department controlling said lands or waters shall submit construction or development plans to the state archaeologist and the State Historic Preservation Office for review prior to the time bids are advertised. The state archaeologist and the State Historic Preservation Office shall promptly review such plans and within 30 days of receiving the plans shall make recommendations for the preservation of archaeological or historic sites which may be endangered by construction or development activities. When archaeological or historic sites are related to Indian history or religion, the state archaeologist shall submit the plans to the Indian Affairs Council for the council's review and recommend action.

History: *1963 c 5 s 10; 1969 c 1129 art 3 s 1; 1971 c 48 s 4; 1976 c 166 s 7; 1985 c 248 s 70; 1986 c 323 s 2; 1994 c 632 art 4 s 51; 1Sp2003 c 19 art 2 s 5,6; 2021 c 31 art 1 s 20*

138.41 PENALTIES.

Subdivision 1. **Willful violations.** Whoever willfully violates section 138.33, or willfully defaces, injures, destroys, displaces, or removes any object or data belonging to the state, or willfully interferes with evidence or work on any state site or other site for which a license has been issued, or willfully violates any other provision of sections 138.31 to 138.42, or the rules adopted by the commissioner is guilty of a gross misdemeanor.

Subd. 2. **Other penalties.** The director of the Minnesota Historical Society may suspend or revoke the license of any licensee, or refuse another license, or initially refuse a license to any person who has violated a provision of sections 138.31 to 138.42, whether the violation is willful or not. Also, the director may refuse to name a school or a scientific institution as the custodian of objects or data under any license or agreement whatever, if that school or scientific institution has failed in its duty to care for and preserve objects or data

belonging to the state or has failed to make such objects or data conveniently available to students of archaeology.

History: *1963 c 5 s 11; 1971 c 23 s 12; 1971 c 48 s 5; 1985 c 248 s 70; 2002 c 298 s 7*

138.42 TITLE.

Sections 138.31 to 138.42 may be cited as the "Minnesota Field Archaeology Act of 1963."

History: *1963 c 5 s 13*

HISTORIC SITES

138.51 POLICY.

It is in the public interest to provide for the preservation of historic sites, buildings, structures, and antiquities of state and national significance for the inspiration, use, and benefit of the people of the state.

History: *1965 c 779 s 1*

138.52 [Repealed, 1993 c 181 s 14]

138.53 [Repealed, 1993 c 181 s 14]

138.54 [Repealed, 1975 c 353 s 41]

138.55 [Repealed, 1993 c 181 s 14]

138.56 [Repealed, 1993 c 181 s 14]

138.57 STATE HISTORIC SITES; REGISTRY, FEDERALLY OWNED LANDS.

Subdivision 1. **Scope.** The land and water areas enumerated in this section are hereby designated by law as "state historic sites," and this section is a registry of state historic sites situated on property owned by the United States government.

Subd. 2. **Flat Lake Mounds.** Flat Lake Mounds, in Becker County, consists of Sections 27 and 28, Township 141 North, Range 39 West, and is located in Tamarac National Wildlife Refuge.

Subd. 3. **Eagle Mountain.** Eagle Mountain, in Cook County, consists of Sections 34 and 35, Townships 63 North, Range 2 West.

Subd. 4. **Red Pipestone Quarries.** Red Pipestone Quarries, in Pipestone County, is located within the boundaries of Pipestone National Monument.

Subd. 5. **Grand Portage.** Grand Portage, in Cook County, is located within the boundaries of Grand Portage National Monument.

Subd. 6. [Repealed, 1975 c 353 s 41]

Subd. 7. [Repealed, 1975 c 353 s 41]

Subd. 8. **Duluth Ship Canal.** Duluth Ship Canal, in St. Louis County, is located within the boundaries of Government Park on Minnesota Point in the city of Duluth.

Subd. 9. **Minnesota Point Lighthouse.** Minnesota Point Lighthouse, in St. Louis County, is located in the extreme easternmost portion of Minnesota Point in the city of Duluth.

Subd. 10. **Taliaferro's Indian Agency.** Major Lawrence Taliaferro's Indian Agency, Fort Snelling, in Hennepin County, is located within the authorized boundaries of Fort Snelling State Park.

Subd. 11. [Repealed, 1973 c 316 s 16]

Subd. 12. **Brown County post office.** Post office, in Brown County, consists of a part of Lots 1, 2, and 3 of Block 66, north of Center Street in the city of New Ulm.

Subd. 13. **Height of Land Portage.** Height of Land Portage, in Cook County, consists of Section 22, Township 65 North, Range 2 West, and is located within Superior National Forest.

Subd. 14. [Repealed, 1973 c 316 s 16]

Subd. 15. [Repealed, 1973 c 316 s 16]

History: *1965 c 779 s 7; 1969 c 894 s 6; 1971 c 605 s 1; 1973 c 316 s 14*

138.58 [Repealed, 1993 c 181 s 14]

138.581 STATE HISTORIC SITES; REGISTRY; LANDS OWNED BY GOVERNMENTAL UNITS OUTSIDE THE STATE.

Subdivision 1. **Scope.** The land and water areas enumerated in this section are designated "state historic sites," and this section is a registry of state historic sites situated on property owned by governmental units outside the state or by instrumentalities of those government units.

Subd. 2. **Canadian National Depot.** The Canadian National Depot, owned by the Canadian National Railroad, is in Roseau County and is located on Main Street in the city of Warroad.

History: *1980 c 434 s 2*

138.585 STATE MONUMENTS.

Subdivision 1. **Scope.** The monuments, memorials, tablets, markers and cenotaphs enumerated in this section are "state monuments," officially established as such by the state of Minnesota since 1873.

Subd. 2. **Captain John S. Marsh State Monument.** Captain John S. Marsh State Monument in Fort Ridgely Cemetery, in memory of Captain John S. Marsh and 25 men killed at Redwood Ferry in the Sioux Uprising of 1862, established in 1873.

Subd. 3. **Eliza Miller State Monument.** Eliza Miller State Monument, in Fort Ridgely Cemetery, in memory of the valor of Mrs. Eliza Miller during the Siege of Fort Ridgely in the Sioux Uprising of 1862, established in 1877.

Subd. 4. **Ness Lutheran Cemetery State Monument.** Ness Lutheran Cemetery State Monument, in Meeker County, marks the mass grave of the five settlers killed at the Baker cabin at Acton in 1862, established in 1878.

Subd. 5. **Lundborg-Broberg State Monument.** Lundborg-Broberg State Monument, in Kandiyohi County, in Lebanon Swedish Cemetery, New London, marks the mass grave of 13 members of two families killed during the Sioux Uprising of 1862, established in 1891.

Subd. 6. **Defenders' State Monument.** Defenders' State Monument, in Brown County, a twenty-four foot granite shaft on Center Street, New Ulm, commemorates the two battles fought in this city during the Sioux Uprising of 1862, established in 1891.

Subd. 7. **Camp Release State Monument.** Camp Release State Monument, in Lac qui Parle County, a fifty foot granite shaft in Camp Release Memorial State Wayside, near Montevideo, marks the spot where the Sioux Indians surrendered and released 269 Sioux Uprising captives on September 26, 1862, established in 1894.

Subd. 8. **Birch Coulee State Monument.** Birch Coulee State Monument, in Renville County, a fifty-two foot granite shaft overlooking highway 19 at Morton, in memory of those who fought in the Battle of Birch Coulee in the Sioux Uprising of 1862, established in 1894.

Subd. 9. **Fort Ridgely State Monument.** Fort Ridgely State Monument, in Nicollet County, a fifty-two foot granite shaft in Fort Ridgely State Park, commemorating the heroism of the fort's defenders during its nine day siege in the Sioux Uprising of 1862, established in 1896.

Subd. 10. **Hinckley Fire State Monument.** Hinckley Fire State Monument, in Pine County, a fifty-two foot granite shaft in Hinckley Memorial Cemetery, marks the mass grave of 248 victims of the Hinckley Fire of 1894, established in 1900.

Subd. 11. **Guri Endreson Rosseland State Monument.** Guri Endreson Rosseland State Monument, in Kandiyohi County, in Vikor Lutheran Cemetery, near Willmar, marks the grave of Sioux Uprising heroine Guri Endreson, established in 1907.

Subd. 12. **Chief White Cloud State Monument.** Chief White Cloud State Monument, in Becker County, in Calvary Catholic Cemetery, near White Earth, honoring Chippewa Chief White Cloud, established in 1909.

Subd. 13. **Acton State Monument.** Acton State Monument, in Meeker County, a granite shaft at Acton, near Grove City, marks the site of the Howard Baker cabin, where the Sioux Uprising began on August 17, 1862, established in 1909.

Subd. 14. **Jackson State Monument.** Jackson State Monument, in Jackson County, a granite shaft in Ashley Park, Jackson, in memory of 19 pioneer settlers killed in this area in 1857 and 1862, established in 1909.

Subd. 15. **Joseph R. Brown State Monument.** Joseph R. Brown State Monument, in Sibley County, a granite shaft in Brown's Cemetery, Henderson, marks the grave of pioneer Joseph R. Brown (1805-1870), established in 1910.

Subd. 16. **Wood Lake State Monument.** Wood Lake State Monument, in Yellow Medicine County, a fifty foot granite shaft in Wood Lake State Wayside, near Granite Falls, in memory of seven soldiers who died in the Sioux Uprising battle at this site in 1862, established in 1910.

Subd. 17. **Chief Mouzoomaunee State Monument.** Chief Mouzoomaunee State Monument, in Nicollet County, in Fort Ridgely Cemetery, in recognition of the loyalty of Chief Mouzoomaunee and the Chippewa Indians during the Sioux Uprising, established in 1914.

Subd. 18. **Brook Park State Monument.** Brook Park State Monument, in Pine County, a thirty-two foot granite shaft in Brook Park Cemetery, marks the mass grave of 23 Brook Park Township residents who perished in the Great Fire of 1894.

Subd. 19. **Schwandt State Monument.** Schwandt State Monument, in Renville County, on County Road No. 15 near North Redwood, in memory of six members of the Johann Schwandt family killed during the Sioux Uprising of 1862, established in 1915.

Subd. 20. **Lake Shetek State Monument.** Lake Shetek State Monument, in Murray County, a twenty-five foot high granite shaft in Lake Shetek State Park, in memory of those killed at this site during the Sioux Uprising of 1862, established in 1925.

Subd. 21. **William Colvill State Monument.** William Colvill State Monument, in Goodhue County, a granite shaft with a statue of William Colvill (1830-1905), honors the colonel who led the First Minnesota Regiment in the Civil War battle of Gettysburg in 1863, established in 1928.

Subd. 22. **Milford State Monument.** Milford State Monument, in Brown County, on county road No. 4 near Essig, in memory of over 50 Milford Township settlers killed in the Sioux Uprising of 1862, established in 1929.

Subd. 23. **Moose Lake State Monument.** Moose Lake State Monument, in Carlton County, a twenty-seven foot granite shaft in Riverside Cemetery, Moose Lake, in memory of 183 victims of the Fire of 1918, established in 1929.

Subd. 24. **Samuel J. Brown State Monument.** Samuel J. Brown State Monument, in Traverse County, a bronze tablet in Sam Brown Memorial Park, Browns Valley, honors Samuel J. Brown (1845-1925), the "Paul Revere of the Northwestern Frontier" for his valiant ride in 1866, established in 1929.

Subd. 25. **Count Beltrami State Monument.** Count Beltrami State Monument, in Beltrami County, in honor of Count Beltrami to commemorate the discovery of the height of land on the Continental Divide on August 23, 1823, established in 1945.

Subd. 26. **Chief Sleepy Eyes State Monument.** Chief Sleepy Eyes State Monument, in Brown County, a twenty-foot granite shaft in the city of Sleepy Eye, honoring Santee Sioux Chief Sleepy Eyes (Ishtaba), for whom the city is named, established in 1971.

Subd. 27. **Sioux Indians State Monument.** Sioux Indians State Monument, in Renville County, a fifty-foot granite shaft overlooking trunk highway 19 near Morton honoring the Indians who were friendly to white settlers during the Sioux Uprising of 1862, established in 1971.

Subd. 28. **Traverse des Sioux State Monument.** Traverse des Sioux State Monument in Nicollet County, including the Traverse des Sioux Treaty Site, where the treaty of Traverse des Sioux was signed in 1851, consists of two tracts divided by United States Highway No. 169 as follows: All that land owned by the state of Minnesota under the jurisdiction of the Departments of Natural Resources and Transportation within the statutory boundary of the Traverse des Sioux State Park located westerly of United States Highway No. 169 and northerly of Chestnut Street of the plat of Traverse des Sioux north of Sibley Street and containing approximately 19 acres, more or less, and, all that land owned by the state of Minnesota under the jurisdiction of the Department of Natural Resources within the statutory boundary of the Traverse des Sioux State Park located easterly of United States Highway No. 169 and northerly of McCann Street of the plat of Traverse des Sioux south of Sibley Street, and containing approximately 90 acres, more or less, both parcels located in Sections 4 and 9, Township 110 North, Range 26 West.

Subd. 29. **Governor Floyd B. Olson State Monument.** Governor Floyd B. Olson State Monument, in Hennepin County, a statue of Floyd B. Olson, who served as Minnesota's 22nd governor from 1931 to 1936, located along Trunk Highway 55 at Penn Avenue North in the city of Minneapolis, established in 1983.

Subd. 30. **Monument to the Living.** Monument to the Living, in Ramsey County, a statue of a military fighting man, created by Roger Brodin to serve as a memento to all living Minnesota veterans, dedicated in May of 1982 and located on the State Capitol grounds in St. Paul, established in 1984.

Subd. 31. **Native American Monument.** Native American Monument, in Ramsey County, to memorialize Native Americans, located in a place of honor in the capitol complex in St. Paul.

History: *1971 c 688 s 6; 1975 c 353 s 35-38; 1980 c 546 s 2; 1983 c 32 s 1; 1984 c 507 s 1; 1986 c 398 art 10 s 2*

138.586 COUNTY BOARDS MAY ACQUIRE HISTORIC SITES.

The board of county commissioners of any county is hereby authorized to acquire and maintain tracts of land within the county which are designated as having historical or archaeological significance and whose acquisition and maintenance are approved by the Minnesota Historical Society and to aid in the construction of markers on such lands.

History: *1943 c 462 s 1; 1969 c 9 s 29; 1969 c 894 s 2; 1975 c 353 s 23*

138.59 [Repealed, 1993 c 181 s 14]

138.60 [Repealed, 1993 c 181 s 14]

138.61 [Repealed, 1993 c 181 s 14]

138.62 [Repealed, 1993 c 181 s 14]

138.63 [Repealed, 1993 c 181 s 14]

138.64 [Repealed, 1993 c 181 s 14]

138.65 [Repealed, 1993 c 181 s 14]

138.66 [Repealed, 1993 c 181 s 14]

MINNESOTA HISTORIC SITES ACT

138.661 STATE HISTORIC SITE NETWORK.

Subdivision 1. **Scope.** Historic sites in section 138.662 constitute the state historic site network. The sites are significant state resources that the Minnesota Historical Society is preserving, developing, interpreting, and maintaining for public use, benefit, and access during open hours.

Subd. 2. **Authority.** The Minnesota Historical Society shall exercise the administration and control of the sites in section 138.662 other than the Minnesota State Capitol, preserve their historic features, conduct archaeological investigations, establish necessary interpretive centers, and perform additional duties and services at the sites necessary to meet their educational mission. Ownership of the properties is either by the state or the Minnesota Historical Society. The Minnesota Historical Society may contract with existing state departments and agencies for materials and services, including utility services, necessary for the administration and maintenance of the sites listed in section 138.662. The authority of the commissioner of natural resources to administer and control the historic sites enumerated in section 138.662 is withdrawn, and is conferred upon the Minnesota Historical Society. The commissioner of natural resources shall continue to administer and control the state parks enumerated in this section excepting the portions designated as

historic sites, the administration and control of which is by this section vested in the Minnesota Historical Society.

Subd. 3. **Selection criteria.** The criteria for selecting historic sites for the state historic site network is described in section 86A.05, subdivision 11, paragraph (b).

Subd. 4. **Public access and use.** Historic sites in the state historic site network shall be developed and interpreted by the Minnesota Historical Society for public use and access with state appropriations or with other nonstate sources of funding designated for that purpose. Public use may be limited to a seasonal basis as determined by the Minnesota Historical Society.

Subd. 5. **Master plans.** Historic sites in the state historic site network shall be developed and operated in accordance with master plans as described in section 86A.09.

History: *1993 c 181 s 1*

138.662 HISTORIC SITES.

Subdivision 1. **Named.** Historic sites established and confirmed as historic sites together with the counties in which they are situated are listed in this section and shall be named as indicated in this section.

Subd. 2. **Alexander Ramsey House.** Alexander Ramsey House; Ramsey County.

History: *1965 c 779 s 3; 1967 c 54 s 4; 1971 c 362 s 1; 1973 c 316 s 4; 1993 c 181 s 2,13*

Subd. 3. **Birch Coulee Battlefield.** Birch Coulee Battlefield; Renville County.

History: *1965 c 779 s 5; 1973 c 316 s 9; 1976 c 106 s 2,4; 1984 c 654 art 2 s 112; 1993 c 181 s 2,13*

Subd. 4. [Repealed, 2014 c 174 s 8]

Subd. 5. [Repealed, 1996 c 452 s 40]

Subd. 6. **Camp Coldwater.** Camp Coldwater; Hennepin County.

History: *1965 c 779 s 7; 1973 c 225 s 1,2; 1993 c 181 s 2,13*

Subd. 7. **Charles A. Lindbergh House.** Charles A. Lindbergh House; Morrison County.

History: *1965 c 779 s 5; 1969 c 956 s 1; 1971 c 688 s 2; 1993 c 181 s 2,13*

Subd. 8. **Folsom House.** Folsom House; Chisago County.

History: *1969 c 894 s 5; 1993 c 181 s 2,13*

Subd. 9. **Forest History Center.** Forest History Center; Itasca County.

History: *1993 c 181 s 2,13*

Subd. 10. **Fort Renville.** Fort Renville; Chippewa County.

History: *1969 c 894 s 5; 1973 c 225 s 3; 1993 c 181 s 2,13*

Subd. 11. **Fort Ridgely.** Fort Ridgely; Nicollet County.

History: *1965 c 779 s 5; 1971 c 688 s 2; 1993 c 181 s 2,13*

Subd. 12. **Grand Mound.** Grand Mound; Koochiching County.

History: *1965 c 779 s 8; 1969 c 956 s 1; 1971 c 688 s 2; 1976 c 316 s 3; 1985 c 120 s 1; 1993 c 181 s 2,13*

Subd. 13. **Harkin Store.** Harkin Store; Nicollet County.

History: *1965 c 779 s 8; 1973 c 485 s 1; 1976 c 316 s 5; 1993 c 181 s 2,13*

Subd. 14. **Historic Fort Snelling.** Historic Fort Snelling; Hennepin County.

History: *1965 c 779 s 7; 1969 c 956 s 1; 1975 c 353 s 28; 1993 c 181 s 2,13*

Subd. 15. **Itasca Headwaters.** Itasca Headwaters; Clearwater County.

History: *1965 c 779 s 5; 1977 c 372 s 2; 1993 c 181 s 2,13*

Subd. 16. **James J. Hill House.** James J. Hill House; Ramsey County.

History: *1965 c 779 s 8; 1985 c 120 s 1; 1993 c 181 s 2,13*

Subd. 17. **Jeffers Petroglyphs.** Jeffers Petroglyphs; Cottonwood County.

History: *1965 c 779 s 8; 1967 c 54 s 9; 1973 c 316 s 5; 1993 c 181 s 2,13*

Subd. 18. **Lac Qui Parle Mission.** Lac Qui Parle Mission; Chippewa County.

History: *1965 c 779 s 5; 1973 c 225 s 3; 1973 c 316 s 9; 1975 c 353 s 25; 1993 c 181 s 2,13*

Subd. 19. **Lower Sioux Agency.** Lower Sioux Agency; Redwood County.

History: *1965 c 779 s 8; 1967 c 54 s 9; 1973 c 316 s 6; 1993 c 181 s 2,13*

Subd. 20. **Marine Mill.** Marine Mill; Washington County.

History: *1965 c 779 s 8; 1993 c 181 s 2,13*

Subd. 21. **Historic Forestville.** Historic Forestville; Fillmore County.

History: *1965 c 779 s 8; 1967 c 54 s 11; 1973 c 316 s 9; 1993 c 181 s 2,13; 2014 c 174 s 4*

Subd. 22. **Mille Lacs Indian Museum.** Mille Lacs Indian Museum; Mille Lacs County.

History: *1965 c 779 s 3; 1993 c 181 s 2,13*

Subd. 23. **Minnehaha Depot.** Minnehaha Depot; Hennepin County.

History: *1965 c 779 s 3; 1993 c 181 s 2,13*

Subd. 24. **Minnesota State Capitol.** Minnesota State Capitol; Ramsey County.

History: *1971 c 691 s 1,2; 1974 c 249 s 5; 1974 c 580 s 16; 1987 c 265 s 1; 1993 c 181 s 2,13*

Subd. 25. **Morrison Mounds.** Morrison Mounds; Otter Tail County.

History: *1967 c 54 s 11; 1969 c 894 s 5; 1993 c 181 s 2,13*

Subd. 26. **North West Company Fur Post.** North West Company Fur Post; Pine County.

History: *1965 c 779 s 3; 1969 c 894 s 4; 1973 c 316 s 1; 1976 c 316 s 2; 1993 c 181 s 2,13*

Subd. 27. **Oliver H. Kelley Farm.** Oliver H. Kelley Farm; Sherburne County.

History: *1965 c 779 s 3; 1993 c 181 s 2,13*

Subd. 27a. **Sibley Historic Site.** Sibley Historic Site; Dakota County.

History: *2014 c 174 s 5*

Subd. 28. **Solomon G. Comstock House.** Solomon G. Comstock House; Clay County.

History: *1967 c 54 s 9; 1993 c 181 s 2,13*

Subd. 29. **Split Rock Lighthouse.** Split Rock Lighthouse; Lake County.

History: *1969 c 894 s 6; 1973 c 316 s 9; 1976 c 106 s 1; 1980 c 546 s 1; 1992 c 481 s 1; 1993 c 181 s 2,13*

Subd. 30. **Stumne Mounds.** Stumne Mounds; Pine County.

History: *1969 c 894 s 5; 1993 c 181 s 2,13*

Subd. 31. **Trail Along Railroad Right-Of-Way.** Trail Along Railroad Right-Of-Way; Hennepin County.

History: *1973 c 225 s 1,2; 1993 c 181 s 2,13*

Subd. 32. **Traverse des Sioux.** Traverse des Sioux; Nicollet County.

History: *1965 c 779 s 5; 1980 c 489 s 4,5; 1980 c 546 s 2; 1993 c 181 s 2,13; 1993 c 241 s 1*

Subd. 33. MS 2022 [Repealed, 2024 c 116 art 8 s 19]

Subd. 33a. **Washburn Crosby Complex (Mill City Museum).** Washburn Crosby Complex (Mill City Museum); Hennepin County.

History: *2014 c 174 s 6*

Subd. 34. [Repealed, 2014 c 174 s 8]

Subd. 35. **William W. Mayo House.** William W. Mayo House; Le Sueur County.

History: *1965 c 779 s 3; 1993 c 181 s 2,13*

138.663 STATE REGISTER OF HISTORIC PLACES.

Subdivision 1. **Policy.** The land and water areas in section 138.664 comprise the state register of historic places. In the effort to preserve the historical values of the state, outstanding properties possessing historical, architectural, archaeological, and aesthetic values are of paramount importance in the development of the state; in the face of ever increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, it is important to inventory historical values. It is in the public interest to provide a register of these historic properties which represent and reflect elements of the state's cultural, social, economic, religious, political, architectural, and aesthetic heritage. The properties in section 138.664 are not operated by the Minnesota Historical Society for historical interpretive or public use and access purposes.

Subd. 2. **Selection criteria.** Historic properties selected for inclusion in the state register of historic places are based on the following criteria:

(1) the quality of significance in American history, architecture, archaeology, engineering, and culture that is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association;

(2) association with events that have made a significant contribution to the broad patterns of our history;

(3) association with the lives of persons significant in our past;

(4) embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(5) the yielding or likelihood of yielding information pertinent in prehistory or history.

History: *1993 c 181 s 3*

138.664 HISTORIC PLACES.

Subdivision 1. **Named.** Historic places established and confirmed as historic places together with the counties in which they are situated are listed in this section and shall be named as indicated in this section.

Subd. 2. **1848 Convention Site.** 1848 Convention Site; Washington County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 3. **Administration Building 10.** Administration Building 10 at the Minnesota Veterans Home; Hennepin County.

History: *1983 c 27 s 1; 1993 c 181 s 4,13*

Subd. 4. **Aerial Lift Bridge.** Aerial Lift Bridge; St. Louis County.

History: *1976 c 316 s 6; 1993 c 181 s 4,13*

Subd. 5. **Alexander Faribault House.** Alexander Faribault House; Rice County.

History: *1969 c 894 s 5; 1993 c 181 s 4,13*

Subd. 6. **Andrew J. Volstead House.** Andrew J. Volstead House; Yellow Medicine County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 7. **August Schell Brewing Company.** August Schell Brewing Company; Brown County.

History: *1976 c 316 s 10; 1993 c 181 s 4,13*

Subd. 8. **Battle Point.** Battle Point; Cass County.

History: *1986 c 325 s 1; 1993 c 181 s 4,13*

Subd. 9. **Blue Mound.** Blue Mound; Rock County.

History: *1965 c 779 s 5; 1993 c 181 s 4,13*

Subd. 10. **Bradbury Homestead.** Bradbury Homestead; Otter Tail County.

History: *1971 c 688 s 7; 1993 c 181 s 4,13*

Subd. 11. **Brooklyn Farm (Earle Brown Farm).** Brooklyn Farm (Earle Brown Farm); Hennepin County.

History: *1974 c 249 s 8; 1993 c 181 s 4,13*

Subd. 12. **Browns Valley Site.** Browns Valley Site; Traverse County.

History: *1965 c 779 s 3; 1975 c 353 s 31; 1993 c 181 s 4,13*

Subd. 13. **Buffalo Ridge.** Buffalo Ridge; Murray County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 13a. **Burbank Livingston Griggs House.** Burbank Livingston Griggs House; Ramsey County.

History: *1996 c 452 s 32*

Subd. 14. **Camp Pope.** Camp Pope; Redwood County.

History: *1969 c 894 s 7; 1993 c 181 s 4,13*

Subd. 15. **Cantonment New Hope.** Cantonment New Hope; Dakota County.

History: *1965 c 779 s 8; 1967 c 54 s 10; 1993 c 181 s 4,13*

Subd. 16. **Carver's Cave.** Carver's Cave; Ramsey County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 17. **Chapel St. Paul.** Chapel St. Paul; Ramsey County.

History: *1965 c 779 s 6; 1993 c 181 s 4,13*

Subd. 18. **Consumers Pure Ice and Storage Company Building.** Consumers Pure Ice and Storage Company Building; Benton County.

History: *1982 c 392 s 1; 1993 c 181 s 4,13*

Subd. 19. **Continental Divide.** Continental Divide; St. Louis County.

History: *1965 c 779 s 3; 1993 c 181 s 4,13*

Subd. 20. **Continental Divide.** Continental Divide; Traverse County.

History: *1965 c 779 s 3; 1993 c 181 s 4,13*

Subd. 21. **Cook-Hormel House.** Cook-Hormel House; Mower County.

History: *1981 c 71 s 1; 1993 c 181 s 4,13*

Subd. 22. **Duluth Ship Canal.** Duluth Ship Canal; St. Louis County.

History: *1965 c 779 s 7; 1993 c 181 s 4,13*

Subd. 23. **Duluth Union Depot.** Duluth Union Depot; St. Louis County.

History: *1969 c 894 s 6; 1993 c 181 s 4,13*

Subd. 24. **E. J. Longyear First Diamond Drill Site.** E. J. Longyear First Diamond Drill Site; St. Louis County.

History: *1976 c 316 s 14; 1993 c 181 s 4,13*

Subd. 25. **Eugene Saint Julien Cox House.** Eugene Saint Julien Cox House; Nicollet County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 26. **Falls of St. Anthony.** Falls of St. Anthony; Hennepin County.

History: *1965 c 779 s 8; 1988 c 684 art 1 s 13-17; 1993 c 181 s 4,13*

Subd. 27. **Flat Lake Mounds.** Flat Lake Mounds; Becker County.

History: *1965 c 779 s 7; 1993 c 181 s 4,13*

Subd. 28. **Fort Beauharnois.** Fort Beauharnois; Goodhue County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 29. **Fort Pomme De Terre.** Fort Pomme De Terre, Pelican Lake Township; Grant County.

History: *1976 c 316 s 9; 1993 c 181 s 4,13*

Subd. 30. **Fort Ripley.** Fort Ripley; Morrison County.

History: *1965 c 779 s 3; 1993 c 181 s 4,13*

Subd. 31. **Fort St. Charles.** Fort St. Charles; Lake of the Woods County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 32. **Frank B. Kellogg House.** Frank B. Kellogg House; Ramsey County.

History: *1976 c 316 s 11; 1993 c 181 s 4,13*

Subd. 33. **F. Scott Fitzgerald House.** F. Scott Fitzgerald House; Ramsey County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 34. **Fugle's Mill.** Fugle's Mill; Olmsted County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 35. **Gideon H. and Sarah Pond House.** Gideon H. and Sarah Pond House; Hennepin County.

History: *1969 c 894 s 7; 1993 c 181 s 4,13*

Subd. 36. **Grand Army of the Republic Hall.** Grand Army of the Republic Hall; Meeker County.

History: *1969 c 894 s 7; 1993 c 181 s 4,13*

Subd. 37. **Grand Portage.** Grand Portage; Cook County.

History: *1965 c 779 s 7; 1993 c 181 s 4,13*

Subd. 38. **Grand Portage of the Saint Louis River.** Grand Portage of the Saint Louis River; Carlton County.

History: *1965 c 779 s 5; 1993 c 181 s 4,13*

Subd. 39. **Height of Land.** Height of Land; Cook County.

History: *1969 c 894 s 6; 1993 c 181 s 4,13*

Subd. 40. **Historic Hill District.** Historic Hill District; Ramsey County.

History: *1974 c 249 s 10; 1993 c 181 s 4,13*

Subd. 41. **Hull-Rust-Mahoning Mine.** Hull-Rust-Mahoning Mine; St. Louis County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 42. **Indian Mounds Park Site.** Indian Mounds Park Site; Ramsey County.

History: *1965 c 779 s 6; 1973 c 316 s 11; 1993 c 181 s 4,13*

Subd. 43. **Ingeborg and Olof Swensson Farmstead.** Ingeborg and Olof Swensson Farmstead; Chippewa County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 44. **Irvine Park Historic District.** Irvine Park Historic District; Ramsey County.

History: *1974 c 249 s 4,11; 1993 c 181 s 4,13*

Subd. 45. **Joseph R. Brown Historical Interpretive Center.** Joseph R. Brown Historical Interpretive Center; Sibley County.

History: *1993 c 181 s 4,13*

Subd. 46. **Joseph R. Brown House Ruins.** Joseph R. Brown House Ruins; Renville County.

History: *1965 c 779 s 5; 1973 c 316 s 9; 1993 c 181 s 4,13*

Subd. 47. **Kari and Thomas Veblen Farmstead.** Kari and Thomas Veblen Farmstead; Rice County.

History: *1976 c 316 s 12; 1993 c 181 s 4,13*

Subd. 48. **Kensington Runestone Discovery Site.** Kensington Runestone Discovery Site; Douglas County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 49. **Kettle Falls Hotel.** Kettle Falls Hotel; St. Louis County.

History: *1976 c 316 s 13; 1993 c 181 s 4,13*

Subd. 50. **Larson Mill.** Larson Mill; Marshall County.

History: *1965 c 779 s 5; 1973 c 316 s 9; 1993 c 181 s 4,13*

Subd. 50a. **Little Elk Heritage Preserve.** Little Elk Heritage Preserve, Morrison County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13; 1Sp2001 c 4 art 2 s 8*

Subd. 51. **Malmo Mounds and Village Site.** Malmo Mounds and Village Site; Aitkin County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 52. **Matilda and Willard Bunnell House.** Matilda and Willard Bunnell House; Winona County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 53. **May and Ray B. Hinkly House.** May and Ray B. Hinkly House; Rock County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 54. **Mayowood.** Mayowood; Olmsted County.

History: *1967 c 54 s 9; 1993 c 181 s 4,13*

Subd. 55. **Mendota Historic District.** Mendota Historic District; Dakota County.

History: *1965 c 779 s 8; 1971 c 709 s 3; 1993 c 181 s 4,13*

Subd. 56. **Milwaukee Avenue Historic District.** Milwaukee Avenue Historic District; Hennepin County.

History: *1974 c 249 s 9,12; 1993 c 181 s 4,13*

Subd. 57. **Minnehaha Falls.** Minnehaha Falls; Hennepin County.

History: *1965 c 779 s 6; 1993 c 181 s 4,13*

Subd. 58. **Minnesota Historical Society Building.** Minnesota Historical Society Building; Ramsey County.

History: *1974 c 249 s 6; 1993 c 181 s 4,13*

Subd. 59. **Minnesota Point Lighthouse.** Minnesota Point Lighthouse; St. Louis County.

History: *1965 c 779 s 7; 1993 c 181 s 4,13*

Subd. 60. **Minnesota Woman Site.** Minnesota Woman Site; Otter Tail County.

History: *1965 c 779 s 3; 1976 c 106 s 3; 1993 c 181 s 4,13*

Subd. 61. **Mountain Iron Mine.** Mountain Iron Mine; St. Louis County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 62. **National Farmers' Bank of Owatonna.** National Farmers' Bank of Owatonna; Steele County.

History: *1967 c 54 s 12; 1993 c 181 s 4,13*

Subd. 63. **New Ulm Post Office.** New Ulm Post Office; Brown County.

History: *1969 c 894 s 6; 1993 c 181 s 4,13*

Subd. 64. **Nicollet Island.** Nicollet Island; Hennepin County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 65. **Northcote Stock and Grain Farm.** Northcote Stock and Grain Farm; Kittson County.

History: *1967 c 54 s 12; 1993 c 181 s 4,13*

Subd. 66. **Northern Pacific Railroad Shops.** Northern Pacific Railroad Shops; Crow Wing County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 67. **Northwest Point.** Northwest Point; Lake of the Woods County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 68. **Noyes Hall and Tate Hall, State School for the Deaf.** Noyes Hall and Tate Hall, State School for the Deaf; Rice County.

History: *1976 c 316 s 7; 1993 c 181 s 4,13*

Subd. 69. **O. E. Rolvaag House.** O. E. Rolvaag House; Rice County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 70. **Old Crossing.** Old Crossing; Red Lake County.

History: *1965 c 779 s 5; 1993 c 181 s 4,13*

Subd. 71. **Old Crow Wing.** Old Crow Wing; Crow Wing County.

History: *1965 c 779 s 5; 1993 c 181 s 4,13*

Subd. 72. **Old Federal Courts Building.** Old Federal Courts Building; Ramsey County.

History: *1973 c 316 s 12; 1993 c 181 s 4,13*

Subd. 73. **Old Fort Snelling Historic District.** Old Fort Snelling Historic District; Hennepin County.

History: *1971 c 709 s 3; 1974 c 249 s 7; 1993 c 181 s 4,13*

Subd. 74. **Old Frontenac Historic District.** Old Frontenac Historic District; Goodhue County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 75. **Old State Capitol Site.** Old State Capitol Site; Ramsey County.

History: *1965 c 779 s 6; 1993 c 181 s 4,13*

Subd. 76. **Ole and Sigrud Bakken Cabin.** Ole and Sigrud Bakken Cabin; Polk County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 77. **Orwell Site.** Orwell Site; Otter Tail County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 78. **Ottawa Methodist Church.** Ottawa Methodist Church; Le Sueur County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 79. **Peter and Wealthy Gideon Farmhouse.** Peter and Wealthy Gideon Farmhouse; Hennepin County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 80. **Pickwick Mill.** Pickwick Mill; Winona County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 81. **Pierre Bottineau Gravesite.** Pierre Bottineau Gravesite; Red Lake County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 82. **Ramsey Mill.** Ramsey Mill; Dakota County.

History: *1973 c 316 s 13; 1993 c 181 s 4,13*

Subd. 83. **Red Pipestone Quarry.** Red Pipestone Quarry; Pipestone County.

History: *1965 c 779 s 7; 1993 c 181 s 4,13*

Subd. 84. **Redwood Ferry.** Redwood Ferry; Renville County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 85. **Rensselaer D. Hubbard House.** Rensselaer D. Hubbard House; Blue Earth County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 86. **Robert F. Jones (Longfellow) House.** Robert F. Jones (Longfellow) House; Hennepin County.

History: *1983 c 26 s 2; 1993 c 181 s 4,13*

Subd. 87. **Saint John the Divine Episcopal Church.** Saint John the Divine Episcopal Church; Clay County.

History: *1967 c 54 s 12; 1993 c 181 s 4,13*

Subd. 88. **Sandstone School.** Sandstone School; Pine County.

History: *1980 c 434 s 1; 1993 c 181 s 4,13*

Subd. 89. **Saum Schools.** Saum Schools; Beltrami County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 90. **Savanna Portage.** Savanna Portage; Aitkin County.

History: *1965 c 779 s 5; 1993 c 181 s 4,13*

Subd. 91. **Seppman Mill.** Seppman Mill; Blue Earth County.

History: *1965 c 779 s 5; 1973 c 316 s 9; 1993 c 181 s 4,13*

Subd. 92. **Shakopee Historical District.** Shakopee Historical District; Scott County.

History: *1971 c 709 s 3; 1993 c 181 s 4,13*

Subd. 93. **Sinclair Lewis Childhood Home.** Sinclair Lewis Childhood Home; Stearns County.

History: *1965 c 779 s 8; 1969 c 1153, s 6; 1993 c 181 s 4,13*

Subd. 94. **Site of Hanging 38 Sioux.** Site of Hanging 38 Sioux; Blue Earth County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 95. **Soudan Mine.** Soudan Mine; St. Louis County.

History: *1965 c 779 s 5; 1973 c 316 s 9; 1993 c 181 s 4,13*

Subd. 96. **Source of the Mississippi River.** Source of the Mississippi River; Clearwater County.

History: *1965 c 779 s 5; 1993 c 181 s 4,13*

Subd. 97. **State Training School.** State Training School; Goodhue County.

History: *1976 c 316 s 8; 1993 c 181 s 4,13*

Subd. 98. **St. Croix Boom Site.** St. Croix Boom Site; Washington County.

History: *1971 c 688 s 2; 1993 c 181 s 4,13*

Subd. 99. **St. John's Abbey and University Historic District, Collegeville.** St. John's Abbey and University Historic District, Collegeville; Stearns County.

History: *1967 c 54 s 12; 1993 c 181 s 4,13*

Subd. 100. **Taylors Falls Public Library.** Taylors Falls Public Library; Chisago County.

History: *1971 c 688 s 2; 1975 c 353 s 34; 1993 c 181 s 4,13*

Subd. 101. **Theodore Wegmann Cabin.** Theodore Wegmann Cabin; Clearwater County.

History: *1971 c 688 s 3; 1993 c 181 s 4,13*

Subd. 102. **Thoreson House.** Thoreson House; Lac Qui Parle County.

History: *1973 c 317 s 15; 1993 c 181 s 4,13*

Subd. 103. **Washington County Courthouse.** Washington County Courthouse; Washington County.

History: *1965 c 779 s 3; 1975 c 353 s 32; 1993 c 181 s 4,13*

Subd. 104. **Wasioja Seminary.** Wasioja Seminary; Dodge County.

History: *1969 c 894 s 5; 1975 c 353 s 33; 1993 c 181 s 4,13*

Subd. 105. **Wayzata Depot.** Wayzata Depot; Hennepin County.

History: *1981 c 67 s 1; 1993 c 181 s 4,13*

Subd. 106. **Wendelin Grimm Farmstead.** Wendelin Grimm Farmstead; Carver County.

History: *1965 c 779 s 8; 1967 c 54 s 9; 1993 c 181 s 4,13*

Subd. 107. **White Oak Point Site.** White Oak Point Site; Itasca County.

History: *1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 108. **Winnebago Agency House.** Winnebago Agency House; Blue Earth County.

History: *1969 c 894 s 7; 1993 c 181 s 4,13*

Subd. 109. **Winnebago Agency Store.** Winnebago Agency Store; Blue Earth County.

History: *1969 c 894 s 7; 1993 c 181 s 4,13*

Subd. 110. **Winona County Courthouse.** Winona County Courthouse; Winona County.

History: *1971 c 688 s 5; 1993 c 181 s 4,13*

Subd. 111. **Witch Tree.** Witch Tree; Cook County.

History: *1969 c 894 s 6; 1973 c 316 s 15; 1993 c 181 s 4,13*

Subd. 112. **Wood Lake Battlefield.** Wood Lake Battlefield; Yellow Medicine County.

History: *1965 c 779 s 3; 1993 c 181 s 4,13*

Subd. 113. **Yucatan Fort Site.** Yucatan Fort Site; Houston County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 114. **Zebulon Pike's 1805-1806 Wintering Headquarters.** Zebulon Pike's 1805-1806 Wintering Headquarters; Morrison County.

History: *1965 c 779 s 8; 1993 c 181 s 4,13*

Subd. 115. **Zion Lutheran Church and cemetery, rural Shelly.** Zion Lutheran Church and cemetery, rural Shelly; Norman County.

History: *1997 c 54 s 1*

138.665 DUTIES OF STATE IN REGARD TO HISTORIC PROPERTIES.

Subdivision 1. **Notice.** The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, are by sections 138.661 to 138.664 and by this section notified of the existence of the state historic site network, state register of historic places, and the National Register of Historic Places.

Subd. 2. **Consultation.** The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664 or listed on the National Register of Historic Places created by Public Law 89-665. Before carrying out any undertaking that will affect

designated or listed properties, or funding or licensing an undertaking by other parties, the state department or agency shall consult with the State Historic Preservation Office pursuant to the State Historic Preservation Office's established procedures to determine appropriate treatments and to seek ways to avoid and mitigate any adverse effects on designated or listed properties. If the state department or agency and the State Historic Preservation Office agree in writing on a suitable course of action, the project may proceed. If the parties cannot agree, any one of the parties may request that the governor appoint and convene a mediation task force consisting of five members, two appointed by the governor, the chair of the State Review Board of the State Historic Preservation Office, the commissioner of administration or the commissioner's designee, and one member appointed by the director of the Minnesota Historical Society. The two appointees of the governor and of the director of the society shall be qualified by training or experience in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural history. The mediation task force is not subject to the conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision 24, and section 138.664, subdivisions 8 and 111.

Subd. 3. **Notice to State Historic Preservation Office of land acquisition.** If the state or a governmental subdivision acquires any of the property in section 138.664, it is the duty of the officer in charge of the acquisition to notify in writing, as promptly as possible, the State Historic Preservation Office of the acquisition.

Subd. 4. **Protection of natural flow.** Neither the state, nor a unit of metropolitan government, nor a political subdivision of the state may take any action that may diminish the flow of water to or from Camp Coldwater Springs. All projects must be reviewed under the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act with regard to the flow of water to or from Camp Coldwater Springs.

History: *1993 c 181 s 5; 2001 c 101 s 1; 1Sp2017 c 4 art 2 s 30,31; 2023 c 62 art 2 s 91*

138.666 COOPERATION.

The state, state departments and agencies, political subdivisions, and the Board of Regents of the University of Minnesota shall cooperate with the Minnesota Historical Society and the State Historic Preservation Office in safeguarding state historic sites and in the preservation of historic and archaeological properties.

History: *1993 c 181 s 6; 2021 c 31 art 1 s 21*

138.667 HISTORIC PROPERTIES; CHANGES.

Properties designated as historic properties by sections 138.661 to 138.664 may be changed from time to time, and the Minnesota Historical Society and the State Historic Preservation Office shall notify the legislature of the need for changes, and shall make recommendations to keep the state historic sites network and the state register of historic places current and complete. The significance of properties proposed for designation under section 138.663, subdivision 2, shall be documented under the documentation standards established by the State Historic Preservation Office. Documentation shall include the opinion of the Minnesota Historical Society for the historic sites network under section 138.661, subdivision 3, and the State Historic Preservation Office for the state register of historic places under section 138.663, subdivision 2, as to whether the property meets the selection criteria.

History: *1993 c 181 s 7; 2021 c 31 art 1 s 22*

138.668 ADMISSION FEES.

The Minnesota Historical Society may establish and collect reasonable fees for admission to state-owned historic sites in the state historic site network in section 138.661. These fees shall be available to the society.

History: *1993 c 181 s 8; 2012 c 292 art 4 s 2*

138.669 CONTRACTS FOR HISTORIC SITE MANAGEMENT.

The Minnesota Historical Society may contract for the management and operation of sites in the state historic site network. Notwithstanding section 138.668, the contract may provide for the retention of admission fees received by the management unit and for grants-in-aid to the management unit for use in the site's operation and maintenance.

History: *1993 c 181 s 9; 2026 c 119 art 2 s 13*

138.6691 CITATION.

Sections 138.661 to 138.669 may be cited as the "Minnesota Historic Sites Act."

History: *1993 c 181 s 10*

HISTORIC FEATURES OF STATE CAPITOL

138.67 DEFINITIONS.

Subdivision 1. **Scope.** As used in sections 138.67 to 138.69, the terms defined in this section have the meanings given them.

Subd. 2. **Works of art.** "Works of art" in all spaces of the Capitol, means paintings, portraits, mural decorations, stained glass, statues and busts, bas-relief, ornaments, furniture, plaques, and any other article or structure of a permanent character intended for decoration or commemoration placed in the capitol in 1905 or placed subsequently for historic purposes or decoration.

Subd. 3. [Repealed, 1974 c 580 s 18]

Subd. 4. **Public areas of the State Capitol.** "Public areas of the State Capitol" includes the rotunda, the governor's reception room and offices, the senate chamber, the house chamber, the supreme court chamber, public hallways and corridors, and all other areas of the State Capitol designed for public ceremonies.

Subd. 5. **State Capitol archives.** "State Capitol archives" includes the original Capitol architectural plans, samples of capitol furnishings, and Cass Gilbert papers, all of which are managed and administered by the Minnesota State Historical Society.

Subd. 6. **Public gallery and orientation area.** "Public gallery and orientation area" means the rotunda and first floor corridors and a room as designated by the joint rules of the house of representatives and the senate.

History: *1971 c 691 s 1; 1987 c 265 s 1*

138.68 SUPERVISION OF PRESERVATION.

The works of art in the public and ceremonial areas of the State Capitol are declared to possess historical value for the people of Minnesota. The Minnesota State Historical Society and the Capitol Area Architectural

and Planning Board shall approve the design, structural composition, and location of all monuments, memorials or works of art presently located in the public and ceremonial areas of the State Capitol or which shall be placed in such public or ceremonial areas after June 4, 1971. No monument, memorial or work of art shall be relocated or removed from, or placed in such areas or altered or repaired in any way without the approval of the Minnesota State Historical Society. The Minnesota State Historical Society shall have final authority over the disposition of any monuments, memorials or works of art removed from the State Capitol or the Capitol grounds.

History: *1971 c 691 s 2; 1974 c 580 s 17; 1975 c 271 s 6*

138.69 PUBLIC AREAS OF THE CAPITOL.

The Minnesota State Historical Society is designated the research agency and is responsible for the interpretation of the public areas for visitors to the Capitol. This involves conducting or approving public programs and tours in the Capitol and State Office Building, including exhibits held in the Capitol, providing informational services, acting as adviser on preservation, recommending appropriate custodial policies, and maintaining and repairing all works of art. Notwithstanding section 138.668, the society may not charge a fee for general tours at the Capitol but may charge fees for special programs other than general tours.

History: *1987 c 265 s 2; 1Sp2017 c 4 art 2 s 32*

138.70 CAPITOL BUILDING POWERS AND DUTIES.

The Minnesota Historical Society shall:

(1) assist and advise in research and preservation of historical features of the Capitol building, appropriate custodial policies, and maintaining and repairing works of art according to section 138.69;

(2) jointly, with the Capitol Area Architectural and Planning Board, review and approve the design, structural composition, and location of all monuments, memorials, or works of art presently located in the public and ceremonial areas of the Capitol building, or proposed for placement in the public or ceremonial areas, according to section 138.68;

(3) assist with planning and design of restoration and renovations of the Capitol building in order to provide public access and education through public interpretive programs according to the society's statutory responsibilities under section 138.69; and

(4) assist the State Capitol Preservation Commission with performance of its duties as needed.

History: *1Sp2011 c 6 art 4 s 9*

138.705 CAPITOL BUILDING ELECTROLIER.

The Minnesota Historical Society must light the Capitol building electrolier during regular business hours on any days during which the legislature is convened in a regular or special session, and during special events, when requested jointly by the chief clerk of the house of representatives and the secretary of the senate. The historical society must coordinate with the chief clerk of the house of representatives and the secretary of the senate for the purpose of keeping the electrolier lit when either body of the legislature is expected to meet outside of regular business hours.

History: *2023 c 62 art 2 s 92*

MINNESOTA HISTORIC DISTRICT ACT OF 1971

138.71 POLICY.

The spirit and direction of the state of Minnesota are founded upon and reflected in its historic past. In the effort to preserve the environmental values of the state, outstanding geographical areas possessing historical, architectural and aesthetic values are of paramount importance in the development of the state; in the face of ever increasing extensions of urban centers, highways, and residential, commercial and industrial developments, areas with an unusual concentration of distinctive historical and architectural values are threatened by destruction or impairment. It is in the public interest to provide a sense of community identity and preserve these historic districts which represent and reflect elements of the state's cultural, social, economic, religious, political, architectural and aesthetic heritage.

History: *1971 c 709 s 1*

138.72 DEFINITION.

An "historic district" for the purposes of sections 138.71 to 138.75 consists of a number of structures, sites and open spaces of historical and architectural significance which together combine to give such an area historic significance to the state of Minnesota.

History: *1971 c 709 s 2*

138.73 DESIGNATION OF HISTORIC DISTRICTS.

Subdivision 1. **Named.** The land and water areas enumerated and described in the following subdivisions of this section are hereby designated by law as historic districts.

Subd. 2. **Pipestone Historic District.** Pipestone Historic District includes the following described property constituting a museum, a vacant lot, a shoe store, and a masonic lodge:

(1) The South fifty-seven feet four inches (S. 57' & 4") except the East two feet (2') of Lot Five (5) and the South fifty-seven feet four inches (S. 57' & 4") of Lot Six (6), Block Four (4), Nichols Addition to the City of Pipestone. Subject to any party wall agreements or easements.

(2) All that part of Lot Six (6), Block Four (4), Nichols' Addition to the City of Pipestone, Minnesota, described as follows, to-wit:

Commencing at a point on the west line of said Lot Six (6), 69.7 feet South of the northwest corner thereof; thence East 25.8 feet, more or less, to the west wall of the building now located thereon; thence South along said west wall for 22.97 feet; thence West for 25.8 feet, more or less, to the west line of said Lot Six (6); thence North along said west line for 22.97 feet to the place of beginning.

(3) Beginning at the northwest corner of Lot Six (6), Block Four (4), Nichols' Addition to the City of Pipestone, Minnesota; thence East along the north line of Block Four (4), 27.9 feet to the centerline of a party wall; thence South 24.0 feet along the centerline of a party wall; thence West 4.2 feet along the centerline of a party wall; thence South 45.7 feet along the centerline of a party wall; thence West along the centerline of a party wall 23.7 feet to the west line of said Block Four (4); thence North 69.7 feet to the point of beginning. Subject to a party wall agreement dated May 31, 1964 between the parties hereto.

(4) The following described parcels of land, all of which are located in Block 4, Nichols' Addition to the City of Pipestone:

Parcel A: The West two (2) feet, eight (8) inches of Lot Two (2).

Parcel B: Lot Three (3).

Parcel C: Beginning at the northwest corner of Lot 4; running thence South 92 feet along the west side of said lot; thence East 17 feet 6 inches; thence South 8 feet; thence West 10 inches; thence South 50 feet to the south line of Lot 4; thence East 9 feet to the southeast corner of Lot 4; thence North 150 feet to the northeast corner of Lot 4; thence West along the north line of Lot 4 to the place of beginning.

Parcel D: The East 2 feet of Lot 5, except that portion owned by the city of Pipestone, Minnesota.

Parcel E: Commencing at a point 27.9 feet East of the northwest corner of Lot 6, Block 4, Nichols' Addition to City of Pipestone; said point being the center of a party wall; thence East along the north line of Block 4 to a point 2 feet West of the northeast corner of Lot 5, of said Block 4; thence South and parallel with the west line of Block 4, 92 feet 8 inches; thence West and parallel with the north line of Block 4, 51 feet, 4 inches to the west line of Block 4; thence North along the west line of Block 4, to a point 69.7 feet South of the northwest corner of Lot 6, of said Block 4, said point being the centerline of a party wall; thence East along the centerline of a party wall for 23.7 feet; thence North along the centerline of a party wall 45.7 feet; thence East along the centerline of a party wall 4.2 feet; thence North along the centerline of a party wall 24.0 feet to the point of beginning.

Subd. 3. **Angel's Hill Historic District.** Angel's Hill Historic District in Chisago County is located in the city of Taylors Falls on a hill above the commercial district and encompasses an area bordered on the south by Mill Street; on the east by High Rock Street and Government Street; on the north by Military Road and on the west by Mulberry Street.

Subd. 4. **Chippewa City Pioneer Village Historic District.** Chippewa City Pioneer Village Historic District in Chippewa County is located at the junction of highways No. 7 and No. 59 in the city of Montevideo, and encompasses Sublot 28, Section 18, Township 117 North, Range 40 West.

Subd. 5. **Grand Portage Historic District.** Grand Portage Historic District in Cook County is located within the boundaries of Grand Portage National Monument.

Subd. 6. **Kathio Archaeological District.** Kathio Archaeological District is located in Mille Lacs County and is composed of the area designated as Mille Lacs-Kathio State Park plus the North Half of Section 25, Township 42 North, Range 27 West; an area of 11,680 acres more or less.

Subd. 7. **Lac qui Parle Mission and Village Historic District.** Lac qui Parle Mission and Village Historic District in Chippewa and Lac qui Parle Counties is comprised of Lac qui Parle State Park and the Southeast Quarter of the Northwest Quarter, the Northeast Quarter of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, and the Southwest Quarter of the Northeast Quarter of Section 27, Township 118 North, Range 42 West, in Lac qui Parle County.

Subd. 8. **Lake Benton Historic District.** Lake Benton Historic District is located in Lincoln County within the city of Lake Benton and includes the South Half of Section 5; Section 7; Section 8; the West Half of Section 9; the Northeast Quarter of Section 18; and the North Half of Section 17; Township 109 North, Range 45 West; an area of 2400 acres more or less.

Subd. 9. **Lower Sioux Agency Historic District.** Lower Sioux Agency Historic District in Redwood County consists of the Northeast Quarter of the Northwest Quarter of Section 8; Government Lots 2 and 3, and the North 8 acres of the Southeast Quarter of the Northeast Quarter of Section 8; and the North 6.76

acres of Government Lot 7 in Section 9; all in Township 112 North, Range 34 West, including 122.86 acres more or less.

Subd. 10. **Mantorville Historic District.** Mantorville Historic District in Dodge County is located within the city of Mantorville and includes the Southeast Quarter of Section 17; the South Half of Section 16; the North Half of Section 21; the Northeast Quarter of Section 20; all in Township 107 North, Range 16 West; an area of 960 acres more or less.

Subd. 11. **Minnetonka Mills Historic District.** Minnetonka Mills Historic District in Hennepin County is located at the intersection of County Highways No. 5 and No. 60 within the limits of the city of Minnetonka in the East Half of Section 15, Township 117 North, Range 22 West, and is comprised of the former village of Minnetonka Mills.

Subd. 12. **Morgan Park Historic District.** Morgan Park Historic District in St. Louis County is located in the southwest part of the city of Duluth and is composed of the following area:

Beginning at a point at the intersection of Commonwealth Avenue and Grand Avenue in Duluth; thence northeasterly along Grand Avenue to the intersection of Grand Avenue and Hulett Avenue; thence southeasterly along Hulett Avenue to the shore of the St. Louis River; thence southeasterly along said shoreline to the long pier extending into Spirit Lake; thence northwesterly along a straight line from said point to Commonwealth Avenue; thence north along Commonwealth Avenue to the point of beginning.

Subd. 13. **Old Fort Snelling Historic District.** Old Fort Snelling Historic District in Hennepin County is located within the following boundaries: beginning at the intersection of the westerly Chicago, Milwaukee, St. Paul and Pacific Railroad (abandoned) right-of-way and the south boundary of Minnehaha State Park extended (which is an extension of East 55th Street, Minneapolis); thence east along the extension of East 55th Street to the easterly county line of Hennepin County (centerline of Mississippi River); thence southerly and easterly along said county line to the point of intersection of Hennepin, Ramsey, and Dakota Counties; thence easterly along the Ramsey-Dakota common boundary to intersection with the easterly line of Government Lot No. 2, Section 28, Township 28 North, Range 23 West, Dakota County; thence South on east line of said Government Lot No. 2, to intersection with the east-west quarter line of said Section 28; thence westerly on said east-west quarter line to the intersection with the easterly right-of-way line of Minnesota State Highway No. 5; thence southerly on said right-of-way line to intersect with the Metropolitan Airports Commission boundary line extended; thence northwesterly along last described boundary line to intersection with a line parallel to Old Trunk Highway 100 (Bloomington Road) and 600 feet northwesterly thereof, measured on a line perpendicular to said highway; thence northeasterly on last described parallel line to intersect with the northerly right-of-way line of State Highway No. 55; thence westerly on said right-of-way line to intersect with the westerly right-of-way line of the Chicago, Milwaukee, St. Paul and Pacific Railroad (abandoned); thence northerly on last described right-of-way line to the point of the beginning and there terminating. The tract herein described contains 580 acres more or less. This district aligns with the boundaries of the Fort Snelling Historic District in the National Register of Historic Places, as the description of that district is amended from time to time.

Subd. 14. **Old Frontenac Historic District.** Old Frontenac Historic District in Goodhue County consists of the city of Frontenac and is comprised of the East Half of the Southeast Quarter of Section 2, the East Half of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 11, that portion of the Northwest Quarter of Section 12 west of the Mississippi River, the Northeast Quarter of the Southwest Quarter and the North Half of the Southwest Quarter of the Southwest Quarter of Section 12; all in Township 112 North, Range 13 West.

Subd. 15. **Old Mendota Historic District.** Old Mendota Historic District in Dakota County on the south bank of the Minnesota River just at the point where the Mississippi and the Minnesota Rivers unite and is comprised of the following:

Beginning on the east line of Government Lot No. 2, Section 28, Township 28 North, Range 23 West, Dakota County, South on said line to the Interstate Highway 55; thence southwest on said highway to the intersection with Sibley Highway; thence northeast on said highway to the intersection with "D" Street in Mendota; thence northwest on "D" Street to Chicago and Northwestern Railroad right-of-way; thence on an imaginary line straight north to the Dakota-Ramsey County line; thence southwest on said line to the boundary of Government Lot No. 2 extended north; thence south along said line to the point of beginning, containing 50 acres more or less.

Subd. 16. **Ottawa Village Historic District.** Ottawa Village Historic District in Le Sueur County is comprised of the city of Ottawa located in the West Half of Section 34, Township 111 North, Range 26 West.

Subd. 17. **St. Anthony Falls Historic District.** St. Anthony Falls Historic District is in Hennepin County and is located within the city of Minneapolis and is comprised of the following:

Beginning at the intersection of Second Street North and the south right-of-way line of proposed Interstate Highway 335 (State Project 2788-01) as identified on February 1, 1972; following Second Street southeasterly to its intersection with Tenth Avenue South; thence northeasterly along Tenth Avenue south and along an imaginary line which is an extension thereof to the beginning of Sixth Avenue Southeast on the east bank of the Mississippi River and along Sixth Avenue Southeast to its intersection with University Avenue; thence northwesterly along University Avenue to the south right-of-way line of proposed Interstate Highway 335 (State Project 2788-01) as identified on February 1, 1972, and thence northwesterly along the proposed Interstate 335 right-of-way to the point of beginning.

Subd. 18. **Shakopee Historic District.** Shakopee Historic District is in Scott County and the city of Shakopee and consists of the following portion of Section 5, Township 115 North, Range 22 West:

Beginning at a point in the centerline of the west bound lane of Trunk Highway No. 101, distant 1671.07 feet (as measured along centerline of said lane) East of the west line of Section 5; thence North at right angles a distance of 202 feet; thence deflecting to the North at an angle of 87 degrees 48 minutes a distance of 251.4 feet; thence deflecting to the North at an angle of 23 degrees ten minutes a distance of 403.1 feet; thence North a distance of 130 feet more or less to a point 30 feet North of the north bank of the Mill Creek; thence easterly and parallel to said north bank to the Minnesota River; thence downstream or easterly along the southerly bank of the Minnesota River to the east line of Section 5; thence South to Highway No. 101 right-of-way; thence westerly following north boundary of right-of-way to its intersection with the line running North from the point of origin.

Subd. 19. **Upper Sioux Agency Historic District.** Upper Sioux Agency Historic District in Yellow Medicine County is comprised of the following area:

Beginning at the line dividing Sections 28 and 29 of Township 115 North, Range 38 West, on the bank of the Yellow Medicine River, follow the bank of the river West from this line to the line dividing Section 30, Township 115 North, Range 38 West, with Section 25, Township 115 North, Range 39 West; thence North on said line to State Highway No. 67 (the old Lac qui Parle Trail); thence southeast on said line to the western border of the present Upper Sioux Agency State Park; thence North on the state park boundary to the Renville-Yellow Medicine County border; thence East on said border to the eastern border of the Upper Sioux Agency State Park; follow this line to the border of Sections 28 and 29, Township 115 North,

Range 38 West; thence South on this line to the bank of the Yellow Medicine River to the point of beginning including 800 acres more or less.

Subd. 20. **Village of St. Vincent Historic District.** Village of St. Vincent Historic District in Kittson County is located on the Red River two miles south of the Canadian border and across from Pembina, North Dakota and is comprised of Section 8 and the North Half of the Northeast Quarter of Section 11, both in Township 163 North, Range 51 West.

Subd. 21. **Wasioja Historic District.** Wasioja Historic District in Dodge County is located within the city of Wasioja and includes the Southeast Quarter of the Southeast Quarter of Section 11; the Southwest Quarter of Section 12; the Northwest Quarter of Section 13; and the Northeast Quarter of Section 14; all in Township 107 North, Range 17 West; an area of 520 acres more or less.

Subd. 22. **Marine on St. Croix Historic District.** Marine on St. Croix Historic District in Washington County is located within the city of Marine on St. Croix and includes the Southwest Quarter of Sec. 6, and the South Half of the Northwest Quarter of Sec. 6, T31N, R19W, the Northwest Quarter of Sec. 7, T31N, R19W; these areas lying west of the St. Croix River. Also, the Southeast Quarter of Sec. 1, T31N, R20W, and the East Half of the Northeast Quarter of Sec. 12, T31N, R20W.

Subd. 23. **Historic Hill District.** Historic Hill District in Ramsey County is located within the city of St. Paul and comprises the area which is located within the following described boundaries: beginning at a point at the intersection of the centerlines of Holly Avenue and North Dale Street in the city of St. Paul; thence North along the centerline of North Dale Street to the point at which it intersects the centerline of Marshall Avenue; thence East along the centerline of Marshall Avenue to the point at which it intersects the centerline of Western Avenue North; thence North along the centerline of Western Avenue North to the point at which it intersects the centerline of Iglehart Avenue; thence East along the centerline of Iglehart Avenue to the point at which it intersects the centerline of Virginia Street; thence South along the centerline of Virginia Street to the point at which it intersects the centerline of Marshall Avenue; thence East along the centerline of Marshall Avenue to the point at which it intersects the centerline of John Ireland Boulevard; thence southwesterly along the centerline of John Ireland Boulevard to the point at which it joins the centerline of Summit Avenue; thence southerly along the centerline of Summit Avenue to the point at which it intersects the northerly right-of-way line of Selby Avenue extended; thence easterly along the northerly right-of-way line of Selby Avenue extended to a point parallel with and 300 feet southeasterly of the centerline of Summit Avenue; thence southwesterly along a line parallel with and 300 feet southeasterly of the centerline of Summit Avenue to the point at which it intersects the northeasterly line of Lot 3, Block 69, of Dayton and Irvine's Addition; thence southeasterly along the northeasterly line of said Lot 3 and its southeasterly extension to its intersection with the centerline of Irvine Avenue; thence southwesterly along the centerline of Irvine Avenue to the intersection with the centerline of Western Avenue South; thence southerly along the centerline of Western Avenue South to the intersection with the centerline of Ramsey Street; thence southwesterly on a line to the point on the south line of Lot 5, Block 6, Terrace Park Addition, distant 100 feet East of the southwest corner of said Lot 5; thence West along the south line of Lot 5 to the southwest corner of Lot 5; thence southwesterly to the northwest corner of Lot 1, Auditors Subdivision number 33; thence southerly along the west line of said Lot 1 to the point distant 120 feet South of the northwest corner of Lot 1; thence southwesterly on a line to the point on the southwesterly line of St. Albans Street distant 120 feet northwesterly of its intersection with the northerly right-of-way line of Pleasant Avenue; thence southeasterly along the northwesterly right-of-way line of St. Albans Street and its southeasterly extension to its intersection with the centerline of Pleasant Avenue; thence southwesterly on a line to the point of intersection of the centerlines of St. Clair Avenue and Pleasant Avenue; thence southwesterly to the point of intersection of the west line of Arbor Street with the most northerly line of Interstate 35-E right-of-way, also being the north line of

relocated Grace Street; thence southwesterly on the northerly line of Interstate 35-E (Grace Street) right-of-way to the point at which it intersects the north right-of-way line of the Chicago, Milwaukee, St. Paul, and Pacific Railroad right-of-way; thence westerly and northwesterly along said right-of-way line to a point at which it intersects the centerline of the alley between Portland and Ashland; thence East along the centerline of said alley to the point at which it intersects the centerline of North Victoria Street; thence North along the centerline of North Victoria Street to the point at which it intersects the centerline of the alley between Holly Avenue and Ashland Avenue; thence East along the centerline of said alley to the point at which it intersects the centerline of North Grotto Avenue; thence South along the centerline of North Grotto Avenue to the point at which it intersects the centerline of Holly Avenue; thence East along Holly Avenue to the point of beginning and there terminating.

Subd. 24. **Irvine Park Historic District.** Irvine Park Historic District, partly owned by the city of St. Paul and portions of which are privately owned, consisting of all area within the following description: beginning at the center of the intersection of Walnut and West Seventh Street; thence southeasterly along the centerline of Walnut to the intersection of the centerline of the perimeter street surrounding Irvine Park; thence northeasterly to the north corner; thence southeasterly along the centerline of the perimeter street to the intersection of the centerline of Ryan; thence northeasterly along the centerline of Ryan to the northeast edge of Lot 2, Block 35; thence southeasterly to include Lots 2, 3, 4, Block 35; thence southwesterly to the centerline of Hill Street including that portion of Hill vacated; thence southwesterly along the centerline of Hill Street to the top of the bluff's concrete retaining wall; thence following the concrete of the top of the retaining wall to the centerline of Sherman; thence northwesterly along the centerline of Sherman to the intersection of the centerline of Ryan; thence southwesterly along the centerline of Ryan to the intersection of the line extending from the southwest edge of Lot 11; thence northwesterly along the southwest of edge of Lots 11, 12 of Block 30, to the intersection of the centerline alleyway parallel to Ryan and Exchange, Block 30; thence southwesterly along the centerline of the alleyway to the intersection of the property line running northwest-southeast dividing in half Lot 3, Block 30; thence along the property line to the intersection of the centerline of South Exchange; then northeasterly along the centerline of South Exchange to the intersection of the centerline of Sherman; thence northwesterly along the centerline of Sherman to the intersection of the centerline of Ramsey; thence westerly along Ramsey to the intersection of the centerline of West Seventh; thence northeasterly to the point of beginning. All in Rice and Irvine's Addition to city of St. Paul.

Subd. 25. **Milwaukee Avenue Historic District.** Milwaukee Avenue Historic District in the city of Minneapolis in Hennepin County, extending from Franklin Avenue to 24th Street.

Subd. 26. **Victory Memorial Drive Historic District.** Victory Memorial Drive Historic District in Hennepin County is comprised of the drive extending from Lowry Avenue North on the south to Humboldt Avenue North on the east, and all property associated with the drive owned by the Minneapolis Park and Recreation Board, including the Lincoln Statue area and the Flagpole Memorial area.

History: *1971 c 709 s 3; 1973 c 123 art 5 s 7; 1973 c 642 s 1,2; 1974 c 171 s 1; 1974 c 249 s 11,12; 1976 c 316 s 15; 2001 c 101 s 2; 2003 c 30 s 1*

138.74 CONTROL AND MAINTENANCE OF HISTORIC DISTRICTS.

The governing bodies of the subdivisions of the state in which these historic districts are located shall have the power to create an historic district board or commission for the purpose of providing architectural control of these areas.

Said board or commission shall have the power to provide special zoning conditions for these historic districts, whether owned or controlled privately or by a public body, to impose regulations governing construction, alteration, demolition and use, and to adopt other measures appropriate for the preservation, protection and perpetuation of these historic districts designated by the state of Minnesota.

The governing body of the subdivision of the state in which these historic districts are located may amend zoning ordinances to encompass these historic districts in zoning legislation to insure the maintenance of the character of each historic district designated in sections 138.71 to 138.75.

Said governing body shall have the authority to prevent the construction of buildings of a character not in conformity with that of the historic district.

Said governing body shall have the authority to remove blighting influences, including signs, unsightly structures and debris, incompatible with the maintenance of the physical well-being of the historic district.

History: *1971 c 709 s 4*

138.75 CITATION.

Sections 138.71 to 138.75 may be cited as the "Minnesota Historic District Act of 1971."

History: *1971 c 709 s 5*

ST. ANTHONY FALLS HERITAGE INTERPRETIVE ZONE

138.761 PURPOSE.

The legislature finds that the St. Anthony Falls area in Hennepin County and the city of Minneapolis has a concentration of outstanding and distinctive historical and architectural resources. There is a need to develop a comprehensive plan to interpret historical resources in that area to start the process of encouraging development of that area's historical resources. Sections 138.761 to 138.765 provide incentives for a joint board to develop and implement a comprehensive interpretive plan for the St. Anthony Falls area, complementing existing planning and development activities on the riverfront by using state, federal, and local funding for historic interpretation.

History: *1988 c 684 art 1 s 13,23; 1996 c 452 s 40*

138.762 DEFINITIONS.

Subdivision 1. **Scope.** The definitions in this section apply to sections 138.761 to 138.765.

Subd. 2. **Board.** "Board" means the St. Anthony Falls Heritage Board created in section 138.763.

Subd. 3. **City council.** "City council" means the city council of the city of Minneapolis.

Subd. 4. **Heritage interpretive zone; zone.** "Heritage interpretive zone" or "zone" means the land and water area including air rights that begins at the intersection of Second Street North and Plymouth Avenue, crossing the Mississippi River on Plymouth Avenue; thence along the east bank of the Mississippi River to Hennepin Avenue; thence northeasterly on Hennepin Avenue to University Avenue; thence easterly on University Avenue to I 35W; thence southwesterly across the river to Second Street South; thence along Second Street South and Second Street North to the point of beginning.

Subd. 5. **Mayor.** "Mayor" means the mayor of the city of Minneapolis.

Subd. 6. **Park board.** "Park board" means the Park and Recreation Board of the city of Minneapolis.

Subd. 7. **Plan.** "Plan" means a comprehensive interpretive plan for the heritage enterprise zone.

Subd. 8. **Preservation commission.** "Preservation commission" means the Heritage Preservation Commission of the city of Minneapolis.

Subd. 9. **Preservation office.** "Preservation office" means the State Historic Preservation Office.

Subd. 10. **Society.** "Society" means the Minnesota Historical Society.

History: *1988 c 684 art 1 s 14,23; 1996 c 452 s 40*

138.763 ST. ANTHONY FALLS HERITAGE BOARD.

Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of 22 members with the director of the Minnesota Historical Society as chair. The members include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's designee; the president of the Minneapolis Park and Recreation Board or the president's designee; the superintendent of the park board; two members each from the house of representatives appointed by the speaker, the senate appointed by the Rules Committee, the city council, the Hennepin County Board, and the park board; one member each from the preservation commission, the State Historic Preservation Office, Hennepin County Historical Society, and the society; one person appointed by the park board; and two persons appointed by the chair of the board.

Subd. 2. **Report.** The board shall report its actions to the appropriate policy committees of the legislature in the first year of each biennium.

Subd. 3. **Comprehensive plan.** The board shall develop and make available to interested parties a comprehensive interpretive plan for interpretation of significant historical components in the zone. The plan must include, but is not limited to, significant historic and natural features such as the river, bridges, buildings, machinery that is part of the milling story, underground canals, stone paving, waterfall, railway components, and a heritage trail system that interlocks historic features of the zone. The plan must evaluate significant historic resources and interpretive options that will tell the story of the zone and its relationship to the city and the state.

Subd. 4. **Grants.** The board may make grants and shall establish procedures to evaluate plans submitted for grants.

Subd. 5. **Compensation.** Board members may be compensated for expenses in accordance with section 15.0575, subdivision 3.

History: *1986 c 444; 1988 c 684 art 1 s 15,23; 1992 c 513 art 3 s 31; 1993 c 183 s 1; 1994 c 632 art 4 s 52; 1996 c 452 s 33,40; 2021 c 31 art 1 s 23*

138.764 GRANTS.

The board may provide project assistance grants for the interpretation of historical resources that are a part of the plan. These grants must relate to a historical resource identified in the plan and may not exceed half of the cost of interpreting a specific historical resource.

History: *1988 c 684 art 1 s 16,23; 1996 c 452 s 40*

138.765 ZONE COORDINATOR.

The Minnesota Historical Society is the coordinator of the heritage interpretive zone and has a responsibility for public education relating to the zone and for certification of all historical resources established in the plan. The society may use up to four percent of funds appropriated for sections 138.761 to 138.765 for coordination. The coordinator must be on the staff of the Minnesota Historical Society and shall serve as secretary to the board.

History: *1988 c 684 art 1 s 17,23; 1996 c 452 s 40*

138.766 MATCH.

The city of Minneapolis, Hennepin County, and the park board shall provide match in money or in kind for the project under sections 138.761 to 138.765 on a dollar for dollar basis.

History: *1988 c 684 art 1 s 18,23; 1992 c 513 art 3 s 32; 1996 c 452 s 40*

FOLKLIFE PRESERVATION ACT

138.81 CITATION.

Sections 138.81 to 138.87 may be cited as the "Minnesota Folklife Preservation Act."

History: *1976 c 117 s 1*

138.82 FINDINGS.

The legislature finds that:

(1) the diversity inherent in Minnesota folklife has contributed greatly to the cultural richness of the state and has fostered a sense of individuality and identity among its people;

(2) the history of the state of Minnesota effectively demonstrates that building a strong state does not require the sacrifice of cultural differences;

(3) folklife has a fundamental influence on the desires, beliefs, values, and character of the people;

(4) it is appropriate and necessary for the state to support research and scholarship in Minnesota folklife in order to contribute to an understanding of the complex problems of the basic desires, beliefs, and values of people in both rural and urban areas;

(5) the encouragement and support of Minnesota folklife and the study thereof, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the state government; and

(6) it is in the interest of the general welfare of the nation to preserve, support, revitalize, and disseminate Minnesota folklife traditions and arts.

It is the purpose of sections 138.81 to 138.87 to establish in the Minnesota Historical Society a center for the study of Minnesota folklife and the position of state folklorist to develop, promote, and implement a program of support for and research in Minnesota folklife.

History: *1976 c 117 s 2*

138.83 DEFINITIONS.

As used in sections 138.81 to 138.87 "Minnesota folklife" means the traditional customs and expressions of the spirit common to a group of people within any area of the state and includes vocal and instrumental music, dance, drama, lore, beliefs, language, humor, handicraft, painting, sculpture, architecture, other forms of creative and artistic expression, and skills related to the preservation, presentation, performance, and exhibition of the cultural heritage of any family, ethnic, religious, occupational, racial, regional, or other grouping of Minnesota people.

History: *1976 c 117 s 3*

138.84 FOLKLORE CENTER.

Subdivision 1. **Creation.** There is created in the Minnesota Historical Society a center for the study of Minnesota folklife.

Subd. 2. **Director.** The director of the center shall be the state folklorist who shall be a professional folklorist on the staff of the Minnesota Historical Society appointed by the director of the Minnesota Historical Society.

History: *1976 c 117 s 4*

138.85 STATE FOLKLORIST; POWERS.

Subdivision 1. **Approval of director.** The state folklorist shall exercise the powers conferred in this section with the approval of the director of the Minnesota Historical Society.

Subd. 2. **Gifts, grants, disposal of property.** The folklorist may accept gifts and grants for the support of the center; receive money and other property donated, bequeathed, or devised, without condition or restriction other than that it be for the purposes of the center, and use, sell or otherwise dispose of such property for the purpose of carrying out its functions.

Subd. 3. **Contracts, grants, loans, scholarships.** The state folklorist may enter into contracts with, award grants, loans, and scholarships to individuals and groups, and in the case of clause (5), private radio and television broadcasters, museums, educational institutions and corporations for the purpose of:

(1) support and promotion of research, scholarship, and training in Minnesota folklife;

(2) support and promotion of live performances, festivals, exhibits, and workshops related to Minnesota folklife;

(3) purchase, receipt, support, and promotion of exhibitions and displays, including presentations by still and motion picture films and audio and visual magnetic tape recordings, which represent or illustrate some aspect of Minnesota folklife;

(4) purchase, production and support of exhibitions, projects, presentations, and materials especially designed for classroom use representing or illustrating some aspect of Minnesota folklife; and

(5) making arrangements to present, display, exhibit, disseminate, communicate and broadcast to local, regional, or state audiences any item referred to in subdivision 4, clause (2).

Subd. 4. **Other powers.** The state folklorist may:

(1) establish and maintain branches of the center in conjunction with any state department, agency, or institution;

(2) procure, receive, purchase, and collect for preservation or retention in an appropriate archive or museum creative works, exhibitions, presentations, objects, materials, artifacts, and audio and visual records including still and motion picture film, records, audio and visual magnetic tape recordings, written records, and manuscripts which represent or illustrate some aspect of Minnesota folklife;

(3) establish procedures for loaning or making available any item in the archives authorized by sections 138.81 to 138.87 to any individual or group;

(4) loan, lease, or otherwise make available to public, private, and nonprofit educational institutions items developed pursuant to subdivision 3, clause (4);

(5) develop and implement other programs to preserve, support, revitalize, and disseminate Minnesota folklife.

History: *1976 c 117 s 5*

138.86 STATE FOLKLORIST; DUTIES; ANNUAL REPORT; CONTRIBUTORS' RIGHTS.

Subdivision 1. **Duties.** It shall be the duty of the state folklorist to:

(1) sponsor, engage in, and direct fundamental research into the folklife of this state and to encourage and coordinate folklife research and investigation undertaken within the state;

(2) cooperate with other agencies of the state which may have authority to determine the location of folklife materials;

(3) protect to the extent possible and encourage the preservation of folklife items located on privately owned property or otherwise in the private possession of individuals;

(4) obtain for the state objects of folklife significance and data relating to the objects;

(5) cooperate with the University of Minnesota and other institutions and organizations to preserve and collect Minnesota folklife, together with the data relating to the folklife; and

(6) disseminate folklife information through the publication of reports of folklife research conducted within the state.

Subd. 2. **Report.** The state folklorist shall submit to the director of the Minnesota Historical Society an annual report concerning the operation of the center, including a detailed statement of all private and public funds received and expended by the center and such recommendations as the center deems appropriate.

Subd. 3. **Contributors' rights.** The state folklorist shall avoid any actions which infringe on the personal rights of individuals contributing to the center.

History: *1976 c 117 s 6*

138.87 FOLKLIFE INFORMATION.

In order to maximize communication and cooperation among those collecting or studying Minnesota folklife, to protect the rights of persons who give information to collectors and students of Minnesota folklife, and to assist those who wish to represent accurately the folklife of the state of Minnesota, the state folklorist may establish procedures by which persons who collect or study Minnesota folklife may:

(1) submit their plans and report their ongoing and final findings to the center;

(2) report to the center any use, publication, or production of their work, and provide copies of any publication; and

(3) provide at no cost to themselves copies of their fieldwork data for deposit in the archive of the center to be used in accordance with the wishes of the donor.

History: *1976 c 117 s 7*

GENERAL

138.91 [Repealed, 2003 c 128 art 10 s 15]

138.911 MINNESOTA HUMANITIES CENTER.

Subdivision 1. **Establishment.** The Minnesota Humanities Center, a nonprofit organization, is established to advance the study of the humanities and enhance the work of schools, colleges, and cultural organizations throughout the state.

Subd. 2. **Reports.** The Minnesota Humanities Center shall report to the legislature by September 1 of each year on the use of state funds appropriated to the commission. The report shall include an itemized account of the programs and projects supported and the source of money for each. The report shall show actual expenditures for the fiscal year ending the preceding June 30 and proposed expenditures for the fiscal year beginning the preceding July 1.

Subd. 3. **Humanities center.** (a) The Minnesota Humanities Center may establish a humanities center to ensure balance in public education and in the cultural life of the state, and to improve humanities education through the establishment of two institutes: the Minnesota Institute for Lifelong Learning and the Minnesota Institute for the Advancement of Teaching.

(b) The humanities center may transport people and resources to small towns, rural communities, and urban settings to provide grants, technical assistance, and high-quality educational and cultural programs to schools and community organizations throughout Minnesota.

(c) The Minnesota Institute for the Advancement of Teaching may conduct seminars and other activities for the recognition of the teaching profession and the advancement of teaching in Minnesota.

History: *1Sp2005 c 5 art 2 s 78; 2009 c 78 art 9 s 8*

138.912 [Renumbered 144.0554]

138.92 LOCAL AND REGIONAL HISTORICAL INTERPRETIVE CENTERS.

A historical interpretive center shall be operated and maintained by the agency, society, corporation, or political subdivision that owns it. State money shall not be used for operating or maintenance expenses of any historical interpretive center not owned by the state of Minnesota or the Minnesota Historical Society.

History: *1979 c 337 s 16*

138.93 GRANT-IN-AID ASSISTANCE; NON-STATE-OWNED HISTORICAL INTERPRETIVE CENTERS.

Subdivision 1. **State assistance.** The state may pay part of the cost of construction of non-state-owned historical interpretive center projects. The state's share may not exceed 50 percent of the cost of any project. In regions 3, 4, 9, 10, and 11, expenditures from appropriations by the 1977, 1978, and 1979 legislature shall be considered part of the state share of the project cost for the purposes of this section. No more than ten percent of the state's share of future appropriations pursuant to this section may be used for professional services. Development regions are the regions designated pursuant to section 462.385. There shall not be more than one state assisted project in each region.

Subd. 2. **Selection process.** Each regional planning commission, except in regions 3, 4, 9, 10 and 11, may request designation of a non-state-owned historical interpretive center. Applications shall be received by the commission for 180 days thereafter. Applications shall be in the form prescribed by the Minnesota Historical Society and include a master plan in accordance with the Minnesota Outdoor Recreation Act of 1975. The regional planning commission may establish an advisory committee of 20 members from the region to make recommendations.

Subd. 3. **Designation.** After receipt of the regional planning commission's recommendation and review of the master plan in accordance with subdivision 5, the Minnesota historical society shall designate the center and notify the owner applicant and the regional planning commission of the designation; however, in region 4, the Red River Valley Center at Moorhead is designated; in region 10, the Mississippi Interpretive Center at Winona is designated; in region 9, the Agricultural Interpretive Center at Waseca is designated; in region 3, the Lake Superior Museum of Transportation and Industry is designated; in region 11, the historic Washington County Courthouse at Stillwater is designated.

Subd. 4. **Master plans.** The owner shall prepare and submit to the regional planning commission a master plan for the development and management of the center, in a format and detail appropriate for the project. The regional planning commission shall choose a project and report its choice to the Minnesota Historical Society. The Minnesota Historical Society shall make the master plan available for review and comment by the public and other state agencies for at least 30 days.

Subd. 5. **Master plan review and approval.** The Minnesota Historical Society shall review the master plan to determine whether it:

(1) provides for development of the center in a manner consistent with the purposes of this section;

(2) recognizes historical values and resources that relate to the area involved;

(3) provides an historical program based on sound historical research; and

(4) meets the requirement of section 138.92.

Within 60 days after receipt of a master plan, the Minnesota Historical Society shall notify the owner that the plan has been reviewed, and forward its recommendations for any changes it might suggest. The owner shall review the recommendations and notify the Minnesota Historical Society of the disposition made of them. The plan may be approved by the society only after all conditions of this section have been met. The society shall forward all approved master plans to the appropriate regional planning commission and the owner. If the society rejects a project chosen by a regional planning commission the commission may again request applications in accordance with subdivision 2 in the subsequent fiscal year.

Subd. 6. **Appropriation requests.** The Minnesota Historical Society may seek appropriations for grant-in-aid assistance pursuant to this section and sections 16A.10 and 16A.11.

History: *1980 c 614 s 90; 1981 c 356 s 170; 1983 c 289 s 115 subd 1; 1987 c 312 art 1 s 26 subd 2; 1993 c 163 art 1 s 24*

138.94 MINNESOTA HISTORY CENTER.

Subdivision 1. **Designation.** The building at 345 Kellogg Boulevard West and the land housing the building, parking lot, and any other related facilities is designated as the Minnesota History Center, and is to be used for such purposes notwithstanding any other law to the contrary. Authority for administration and control of the Minnesota History Center is conferred on the Minnesota Historical Society. The society is not exempt from rental or lease costs by the state. The Department of Administration will maintain and provide custodial, security, and climate control services for the history center in accordance with standards established by the society.

Subd. 2. **User fees.** The society may charge fees it deems reasonable for uses relating to the Minnesota History Center including parking and special exhibits.

Subd. 3. **Contractual services.** The society may contract with existing state departments and agencies or other entities for materials and services as may be necessary for the history center.

History: *1981 c 357 s 30; 1Sp1985 c 10 s 74; 1991 c 233 s 57; 1992 c 514 s 19; 1994 c 632 art 4 s 53; 2014 c 174 s 7*

138.95 NATIVE AMERICAN MEMORIAL PLAN.

The Minnesota Historical Society shall develop a plan for selecting a design for a capitol mall memorial to Native Americans. The selection may involve a design competition with a prize for the winning design. Funding may involve state funds or gifts from private or public sources.

History: *1986 c 398 art 10 s 1*

138.96 RECORDED MUSIC CENTER.

Subdivision 1. **Definition.** "Recorded music center" means an area in the state history center to collect recorded music produced in Minnesota which is made by Minnesota performers and composers.

Subd. 2. **Cooperation.** The Minnesota Historical Society shall coordinate collecting activities relating to this section with other Minnesota archives and libraries.

Subd. 3. **Notification.** The Minnesota Historical Society shall notify and encourage producers of music, including musical groups, to offer one copy of each recorded music item to the historical society for consideration as an addition to its collections. Items the society accepts for deposit shall be a part of the recorded music center.

History: *1993 c 181 s 11; 1994 c 465 art 1 s 17*

138.97 [Repealed, 1993 c 369 s 146]