

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1339**

February 26, 2007

Authored by Poppe

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

1.1 A bill for an act
1.2 relating to state government; deleting a record retention provision; amending
1.3 Minnesota Statutes 2006, section 15.17, subdivision 1; repealing Minnesota
1.4 Statutes 2006, section 138.17, subdivisions 9, 10.

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

1.6 Section 1. Minnesota Statutes 2006, section 15.17, subdivision 1, is amended to read:

1.7 Subdivision 1. **Must be kept.** All officers and agencies of the state, counties, cities,
1.8 towns, school districts, municipal subdivisions or corporations, or other public authorities
1.9 or political entities within the state, hereinafter "public officer," shall make and preserve all
1.10 records necessary to a full and accurate knowledge of their official activities. Government
1.11 records may be produced in the form of computerized records. All government records
1.12 shall be made on a physical medium of a quality to insure permanent records. Every public
1.13 officer is empowered to reproduce records if the records are not deemed to be of permanent
1.14 or archival value by the commissioner of administration and the records disposition panel
1.15 under section 138.17. The public officer is empowered to reproduce these records by any
1.16 photographic, photostatic, microphotographic, optical disk imaging system, microfilming,
1.17 or other reproduction method that clearly and accurately reproduces the records. If a
1.18 record is deemed to be of permanent or archival value, any reproduction of the record must
1.19 meet archival standards specified by the Minnesota Historical Society ~~provided, however,~~
1.20 ~~that this section does not prohibit the use of nonerasable optical imaging systems for the~~
1.21 ~~preservation of archival records without the preservation of paper or microfilm copies.~~

1.22 Each public officer may order that those photographs, photostats, microphotographs,
1.23 microfilms, optical images, or other reproductions, be substituted for the originals of them.
1.24 The public officer may direct the destruction or sale for salvage or other disposition of the

2.1 originals from which they were made, in accordance with the disposition requirements of
2.2 section 138.17. Photographs, photostats, microphotographs, microfilms, optical images,
2.3 or other reproductions are for all purposes deemed the original recording of the papers,
2.4 books, documents, and records reproduced when so ordered by any public officer and
2.5 are admissible as evidence in all courts and proceedings of every kind. A facsimile or
2.6 exemplified or certified copy of a photograph, photostat, microphotograph, microfilm,
2.7 optical image, or other reproduction, or an enlargement or reduction of it, has the same
2.8 effect and weight as evidence as would a certified or exemplified copy of the original.

2.9 **Sec. 2. REPEALER.**

2.10 Minnesota Statutes 2006, section 138.17, subdivisions 9 and 10, are repealed.