

CHAPTER 138

HISTORICAL SOCIETIES; SITES; ARCHIVES; ARCHAEOLOGY; FOLKLIFE

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138.17 GOVERNMENT RECORDS; ADMINISTRATION.

[For text of subs 1 to 9, see M.S.1996]

Subd. 10. Optical image storage. (a) Any government record, including a record with archival value, may be transferred to and stored on a nonerasable optical imaging system and retained only in that format, if the requirements of this section are met.

(b) All documents preserved on nonerasable optical imaging systems must meet standards for permanent records specified in section 15.17, subdivision 1, and must be kept available for retrieval so long as any law requires. Standards under section 15.17, subdivision 1, may not be inconsistent with efficient use of optical imaging systems.

(c) A government entity storing a record on an optical imaging system shall create and store a backup copy of the record at a site other than the site where the original is kept. The government entity shall retain the backup copy and operable retrieval equipment so long as any law requires the original to be retained. The backup copy required by this paragraph must be preserved either (1) on a nonerasable optical imaging system; or (2) by another reproduction method approved by the records disposition panel.

(d) All contracts for the purchase of optical imaging systems used pursuant to this chapter shall contain terms that insure continued retrievability of the optically stored images and conform to any guidelines that may be established by the office of technology of the department of administration for perpetuation of access to stored data.

History: 1997 c 202 art 3 s 35

138.31 DEFINITIONS.

[For text of subs 1 to 13, see M.S.1996]

Subd. 14. "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.

History: 1997 c 202 art 2 s 37

138.35 STATE ARCHAEOLOGIST.

Subdivision 1. Appointment. The state archaeologist shall be a qualified professional archaeologist appointed by the executive council of the Minnesota historical society in consultation with the Indian affairs council to perform the duties in sections 138.31 to 138.42. The position is in the unclassified service in the executive branch and is subject to chapter 43A but not chapter 179A. The compensation and terms and conditions of employment are as provided by section 43A.18, subdivision 3. The state archaeologist's salary shall be established by the commissioner of employee relations within a range established by the commissioner of employee relations.

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. Staff shall serve in the unclassified service and be governed by section 43A.18, subdivision 2.

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 16B, 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:

(a) 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;

(b) 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;

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

(d) 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;

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

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

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

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

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

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

History: 1997 c 202 art 2 s 38

138.664 HISTORIC PLACES.

[For text of subs 1 to 114, see M.S.1996]

Subd. 115. Zion Lutheran Church and cemetery, rural Shelly, Norman county.

History: 1997 c 54 s 1

138.91 MINNESOTA HUMANITIES COMMISSION.

[For text of subs 1 and 2, see M.S.1996]

Subd. 4. Salary supplement. The Minnesota humanities commission is eligible for a salary supplement in the same manner as state agencies. The commissioner of finance shall determine the amount of the salary supplement based on available appropriations. Employees of the commission shall be paid in accordance with the appropriate pay plan.

History: 1997 c 202 art 2 s 39