

450.01; 454.05 to 454.08; 484.37 to 484.43; 486.09; and 610.48 are hereby repealed.

Approved April 20, 1961.

CHAPTER 562—H. F. No. 136

[Coded]

*An act relating to education; providing for the correction of erroneous statutory references, provisions, and conflicts; amending Minnesota Statutes 1957, Section 122.062, Subdivisions 1 and 4, and Section 124.11, Subdivision 6; Extra Session Laws 1959, Chapter 27, Section 3, Subdivisions 2 and 8, and Section 6, Subdivision 1; Extra Session Laws 1959, Chapter 71, Article 1, Section 5, Subdivision 2, and Section 8, Subdivision 1; Extra Session Laws 1959, Chapter 71, Article 3, Section 10, Subdivision 19; Extra Session Laws 1959, Chapter 71, Article 4, Section 10, Subdivision 7, Section 13, Subdivision 2, Section 14, Subdivision 7, and Section 22, Subdivision 5; repealing Minnesota Statutes 1957, Section 122.062, Subdivision 5, Laws 1959, Chapter 158, Section 14, and Extra Session Laws 1959, Chapter 71, Article 5, Section 14.*

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

Section 1. Minnesota Statutes 1957, Section 122.062, Subdivision 1, is amended to read:

122.062. [122.03] **Assignment of identification numbers.** Subdivision 1. *As seen as practicable after the passage of Laws 1957, Chapter 947,* The commissioner of education shall, by order, assign an identification number to each district. The assignment shall be made so that each classified district has an identification number which is exclusive to it in its classification.

Sec. 2. Minnesota Statutes 1957, Section 122.062, Subdivision 4, is amended to read:

[122.03] Subd. 4. A number once assigned a district under *Laws 1957, Chapter 947 Extra Session Laws 1959, Chapter 71, Article 3, Section 2, or under any prior law,* shall not be used again to identify any district in the same classification. As the need arises, and as required by law, as new districts are formed, the commissioner of education shall assign unused numbers as identification. When numbered

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districts are dissolved, the numbers assigned them will not be reassigned to any other district.

Sec. 3. Minnesota Statutes 1957, Section 124.11, Subdivision 6, is amended to read:

[129.13] Subd. 6. **Conduct of election.** The voting at any such special election shall be by ballot and the clerk shall prepare ballots and necessary stationery. More than one proposition or question may be submitted at the same special election, but each proposition or question submitted shall be stated separately in the notice and on the ballots. The compensation of election officers shall be in conformity with the general election laws and the school board is empowered to pay all expenses for any such special election out of the district's funds. The general election laws shall govern in the conduct of the election. The returns from each election precinct or voting district shall be made to the school board, and by it canvassed within three days after the holding of the election. In the event of a contest, the provisions of ~~section 208.07~~ *Laws 1959, Chapter 675, Article 10, Section 8*, shall apply and govern.

Sec. 4. Extra Session Laws 1959, Chapter 27, Section 3, Subdivision 2, is amended to read:

[124.38] Subd. 2. "District" means any school district ~~as defined in Minnesota Statutes 1957, Section 122.011, Subdivisions 12, 13, 14, 15, and 16~~ *the education code.*

Sec. 5. Extra Session Laws 1959, Chapter 27, Section 3, Subdivision 8, is amended to read:

[124.38] Subd. 8. "Correct full and true value" means the valuation of all taxable property in the district determined by the equalization aid review committee as provided in ~~Minnesota Statutes 1957, Section 128.093~~ *Extra Session Laws 1959, Chapter 71, Article 5, Section 21, Subdivision 4*, and amendments thereof. In districts whose debt limit is fixed by Minnesota Statutes, Section 475.533, it also includes the value of railroad property as determined by the railroad and warehouse commission.

Sec. 6. Extra Session Laws 1959, Chapter 27, Section 6, Subdivision 1, is amended to read:

Sec. 6. [124.41] Subdivision 1. The members of the equalization aid review committee defined in ~~Minnesota Statutes, Section 128.093~~ *Extra Session Laws 1959, Chapter*

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71, Article 5, Section 21, Subdivision 4, are hereby constituted a school loan committee, with the commissioner of administration as chairman, the commissioner of taxation as vice chairman, and the commissioner of education as secretary, for receiving and considering applications for and granting or denying loans under this act *Extra Session Laws 1959, Chapter 27.*

Sec. 7. Extra Session Laws 1959, Chapter 71, Article 1, Section 5, Subdivision 2, is amended to read:

[120.05] Subd. 2. **Definitions.** (1) Elementary school means any one of the schools listed under subdivision 1, (1), with building, equipment, courses of study, class schedules, enrollment and staff meeting the standards established by the state board of education and the following specifications:

(a) A graded elementary school is one organized and administered as such, in which each school grade is taught by one certified teacher, or in which no more than two grades in sequence are taught by one certified teacher, as such part of the school system of a district giving a full course of instruction in the first six years of the public school and employing at least three teachers devoting their full time to elementary school work, or giving a full course of instruction in the first eight years of the public school and employing at least four teachers devoting their entire time to elementary school work,

(b) An ungraded elementary school is a school giving a full course of elementary school instruction and employing one or more teachers but not having the rank of a graded elementary school,

(c) The state board of education shall not close a school or deny any state aids to a district for its elementary schools because of enrollment limitations classified in accordance with the provisions of subdivision 2, clause (1).

(2) Secondary school means any one or more of the schools listed under subdivision 1, (2), with building, equipment, courses of study, class schedules, enrollment and staff meeting the standards established by the state board of education and the following specifications:

(a) A secondary school department is a school giving a full course of instruction in grade nine, grades nine and ten, grades nine, ten and eleven, or grades ten and eleven.

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(b) A four-year secondary school is a school giving a full course of instruction in grades nine, ten, eleven and twelve.

(c) A six-year secondary school is a school giving a full course of instruction in grades seven through twelve inclusive.

(d) A junior secondary school is a school giving a full course of instruction in the seventh, eighth and ninth grades.

(e) A senior secondary school is a school giving a full course of instruction in the tenth, eleventh, and twelfth grades.

(f) A vocational secondary school is a school embracing not less than two years of secondary school work in the ninth grade or above in approved vocational training accompanied by related and supplemental instructions sufficient to constitute a full course of instruction.

(3) A junior college is a school organized according to sections 131.02 to 131.07.

(4) An area vocational-technical school is a school organized according to ~~Minnesota Statutes 1945, Section 120.36~~ *Extra Session Laws 1959, Chapter 71, Article 2, Section 21*, and may be included in subdivision 1, clauses (2), (3), and (4).

(5) A full course of instruction in any type of school means a program of studies of sufficient scope and variety to provide each student with a complete daily schedule of school work and to fulfill the minimum requirements for graduation as established by the state board of education.

Sec. 8. *Extra Session Laws 1959, Chapter 71, Article 1, Section 8, Subdivision 1*, is amended to read:

Sec. 8. [120.08] Subdivision 1. Any person under 21 years of age residing in any district not maintaining a secondary school who has successfully completed the elementary school may, with the consent of the board of such district, attend any secondary school of a district in an adjoining state willing to admit him, which secondary school is nearer to his place of residence than any duly established secondary school in Minnesota, the distances being measured by the usual traveled routes. Any tuition charged by the district so attended shall be paid to the district attended by

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the county in which the person resides. This tuition shall not be more than (a) such district charges non-resident pupils of that state, (b) the average maintenance cost exclusive of transportation per pupil unit in average daily attendance in the school attended, nor (c) the tuition rate provided for in ~~Minnesota Statutes 1957, Section 128.082, Subdivision 6~~ *Extra Session Laws 1959, Chapter 71, Article 5, Section 18, Subdivision 2*. The method of certifying tuition for such pupils, the payment by the county, and the levying of taxes for such tuition shall be the same as is provided by ~~Minnesota Statutes 1957, Section 128.088~~ *Extra Session Laws 1959, Chapter 71, Article 5, Section 39*, for non-resident pupils attending Minnesota secondary schools.

Any pupil attending a secondary school in an adjoining state for whom tuition is paid from county funds is entitled to transportation services in accordance with Minnesota Statutes.

Sec. 9. Extra Session Laws 1959, Chapter 71, Article 3, Section 10, Subdivision 19, is amended to read:

[122.26] Subd. 19. Not less than ~~10~~ *ten* days nor more than 30 days after this special meeting, the board may establish a new limitation not in excess of that contained in the notice of hearing on the maximum tax levy that can be imposed, expressed in dollars per resident pupil unit as used in ~~Minnesota Statutes, Section 128.081~~ *Extra Session Laws 1959, Chapter 71, Article 5, Section 17*. This new limitation shall not exceed the higher of the limitations calculated as provided in Minnesota Statutes, Section 275.12. This new limitation shall take effect 60 days after the date of said resolution unless the people take action to reject the limitation in the manner provided in subdivision 20.

Sec. 10. Extra Session Laws 1959, Chapter 71, Article 4, Section 10, Subdivision 7, is amended to read:

[123.19] Subd. 7. The district may destroy the following records:

- (1) Claims and vouchers paid by the district more than ten years prior to such destruction;
- (2) Receipts, miscellaneous papers and correspondence bearing dates more than ten years prior to destruction;
- (3) Orders and checks paid more than ten years prior to destruction.

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The officer having custody of said records shall obtain written approval of the governing body of the district. The approval shall be in the form of a resolution listing the classes of records authorized to be destroyed and the range of dates of the records in each class. A copy of the resolution consenting to the destruction of such records shall be sent to the ~~Minnesota State Historical Society~~ *State Archives Commission*. If no petition or application requesting the records from the ~~historical society~~ *archives commission* is received by said district within 30 days after mailing of the resolution the records shall be destroyed by the officer having custody.

This subdivision is supplementary to other statutory authority to destroy obsolete district records and does not prevent destruction of such records at an earlier time or the destruction of other records when authorized by other statutory provisions.

Sec. 11. Extra Session Laws 1959, Chapter 71, Article 4, Section 13, Subdivision 2, is amended to read:

[123.31] Subd. 2. The provisions of ~~Minnesota Statutes, Chapter 209~~ *Laws 1959, Chapter 675, Article 4, Section 21, Subdivision 4, and Article 7, Sections 2 to 24*, shall apply to the use of voting machines in school elections insofar as applicable.

Sec. 12. Extra Session Laws 1959, Chapter 71, Article 4, Section 14, Subdivision 7, is amended to read:

[123.32] Subd. 7. The board of any independent school district, at any regular meeting, or special meeting called for that purpose, may provide for the use of voting machines at all elections to be held therein. Said board and any municipal corporation, owning or using voting machines, may enter into an agreement for the rental and use of said voting machines by said district for school elections in said district. The provision of ~~Minnesota Statutes, Chapter 209~~ *Laws 1959, Chapter 675, Article 4; Section 21, Subdivision 4, and Article 7, Sections 2 to 24*, shall apply to the use of voting machines in school elections insofar as applicable.

Sec. 13. Extra Session Laws 1959, Chapter 71, Article 4, Section 22, Subdivision 5, is amended to read:

[123.40] Subd. 5. The district may destroy the following records:

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- (1) Claims and vouchers paid by the district more than ten years prior to such destruction;
- (2) Receipts, miscellaneous papers, and correspondence bearing dates more than ten years prior to destruction;
- (3) Orders and checks paid more than ten years prior to destruction.

The officer having custody of said records shall obtain written approval of the governing body of the district. The approval shall be in the form of a resolution listing the classes of records authorized to be destroyed and the range of dates in each class. A copy of the resolution consenting to the destruction of such records shall be sent to the state archives commission. If no petition or application requesting the records from the ~~historical society~~ *archives commission* is received by said school district within 30 days after mailing of the resolution, the records shall be destroyed by the officer having custody.

This subdivision is supplementary to other statutory or charter authority to destroy obsolete district records and does not prevent destruction of such records at an earlier time or the destruction of other records when authorized by other statutory or charter provision.

**Sec. 14. [124:14] Distribution of school aid fund, supervision; appropriation.** *Subdivision 1. The state board shall supervise distribution of the school aid fund in accordance with law. It may make rules and regulations consistent with law for such distribution which will enable districts to perform efficiently the services required by law and further education in the state, including reasonable requirements for such reports and accounts to it as will assure accurate and lawful apportionment of aids. Public schools shall at all times be open to the inspection of the state board, and the accounts and records of any district are open to inspection by the public examiner, or the state board.*

*Subd. 2. Such moneys as are necessary to make the distribution of the school aid fund annually are hereby appropriated from the funds or accounts in the state treasury authorized by law for such purposes.*

**Sec. 15. Minnesota Statutes 1957, Section 122.062, Subdivision 5, Laws 1959, Chapter 158, Section 14, and Extra**

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

*Session Laws 1959, Chapter 71, Article 5, Section 14, are hereby repealed.*

Approved April 20, 1961.

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CHAPTER 563—H. F. No. 137

[Coded]

*An act relating to session laws enacted in 1959; providing for the correction of erroneous statutory references; amending Laws 1959, Chapters 244, Section 1, Subdivisions 1 and 4; 272, Section 1, Subdivision 2; 500, Article III, Section 8, Subdivision 3; 691, Section 2, Subdivision 1; and Extra Session Laws 1959, Chapter 70, Article II, Section 7.*

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

Section 1. Laws 1959, Chapter 244, Section 1, Subdivision 1, is amended to read:

Section 1. **[112.411] Procedure for termination.**  
Subdivision 1. Proceedings for the termination of a watershed district shall be initiated only by the filing of a petition with the secretary of the board, which petition shall be signed by not less than 25 percent of the resident freeholders of the district. Such petition shall state that the existence of the district is no longer in the public welfare and public interest and that it is not needed to accomplish the purposes of the *Minnesota watershed act*.

The petitioners shall cause to be served upon the county auditor or auditors of the counties affected a copy of said petition and proof of service thereof shall be attached to the original petition, to be filed with the secretary of the board.

Sec. 2. Laws 1959, Chapter 244, Section 1, Subdivision 4, is amended to read:

**[112.411] Subd. 4. Procedure for termination.**  
When it appears to the board that a sufficient petition has been filed, the board shall within 35 days thereafter, by its order fix a time and place, within the district, for a hearing thereon. The provisions of this ~~act~~ *section* relating to notice and conduct of a hearing upon a nominating petition shall govern.

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