

CHAPTER 1109—H. F. No. 3008

[Coded]

An act relating to school districts; regulating school district levies for the years 1969 and 1970.

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

Section 1. **[275.122] School districts; tax levy, school districts; limits.** Notwithstanding Minnesota Statutes, Section 275.12, Subdivision 1, but subject to the remaining provisions of Minnesota Statutes, Section 275.12, the total amount of taxes levied for the years 1969 and 1970 by and for any school district in the state for all general and special school purposes including the county school tax of one mill, required to be levied by the statute, but exclusive of any state levy, income tax apportionment or other aids, shall not exceed in any year the greater of:

(a) \$390 per resident pupil unit in average daily attendance in kindergarten and grades one to twelve, inclusive, plus the amount of any levies for bonds issued and interest thereon, such pupil units in average daily attendance to be computed in accordance with section 124.17, or on the basis of an estimated average daily attendance during the current school year made on the enrollments as of October 1 of such year applying the percentage of attendance of the previous school year. If as a result of such estimate the levy made for such year results in a levy in excess of the amount that could actually have been levied had such levy been based on the per pupil units computed under section 124.17 for that school year, then in that event the excess amount so levied shall be deducted from the permissible levy made in the following year, or

(b) the following amounts per capita of the population of the district: in districts having a population in excess of 5,000 and operating schools in four or more villages or cities, the greater of \$540,000 or \$109 per capita; in districts not within the foregoing class but having a population in excess of 5,000, \$96 per capita, but not less than \$142,000 plus \$77 per capita; in districts having a population of not more than 5,000 and not less than 2,501, \$110,000 plus \$85 per capita; in districts having a population of 2,500 or less, \$135,000 plus \$85 per capita. Any school district levying under Minnesota Statutes, Section 275.12, Subdivision 1, Clause (b), may levy taxes for general and special school purposes in a total amount exceeding by five percent the amount of taxes which may be levied by the school districts within the limitations set forth within such provision. If the levy made by any district exceeds the amount permitted

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by clause (a) but does not exceed the amount of the limitation contained in clause (b), at least \$3.50 per capita shall be set aside in a special fund known as the building and rehabilitation fund, and shall be used only for the rehabilitation or reconstruction or modernization of school buildings by major repairs or changes therein, or for the payment of bonds or certificates of indebtedness issued for that purpose, not including ordinary current maintenance replacements or repairs; provided, that certificates of indebtedness issued for this purpose may be issued for a period of three years and shall become due and payable not later than three years after issuance and the amount of outstanding certificates issued hereunder shall not exceed at any one time an amount greater than \$10.50 per capita; provided, if the district has no buildings needing rehabilitation, reconstruction or modernization and the board shall adopt a resolution to that effect, the money in said fund may be used for other authorized school purposes.

Sec. 2. [275.123] Increase in mill levy; notice; hearing.
Subdivision 1. In order to promote a greater awareness of the financial aspects of school district financial management, the school board of any independent school district which proposes to increase the mill levy within the district by more than five percent over the previous year's levy shall hold an informational public hearing upon the proposed increase. Notice of intent to increase the mill levy, together with notice of the time and place of the hearing, shall be given by publication in a newspaper of general circulation within the district and in the official county newspaper one time at least five and not more than 15 days prior to the date set for the hearing.

Subd. 2. The published notice shall be in a form determined by the board, which form shall be sufficient in size and prominent in format in order to attract the attention of the reader. In any event the notice shall be of a size at least two columns in width by six inches in length. In addition to the contents required by subdivision 1, the notice shall set forth the estimated number of mills and percentage of increase over the previous year's school levy and the percentage of the total levy on property within the district which the school district levy represents. The notice may contain such other information relevant to the mill levy increase as the board shall determine and shall also contain the names of all school board members.

Subd. 3. At the meeting required by this section, members of the public shall be given reasonable opportunity to present their viewpoint and to ask questions of the board and individual members thereof in regard to the proposed levy increase and related financial aspects of the district. Upon conclusion of the meeting and after final establishment of the mill levy, published notice of the action of the

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board on the levy and a summary of the reasons for such action shall be given in the manner and form prescribed for the notice of meeting.

Subd. 4. This section shall not apply to school districts wherein public meetings such as those described in this section are required by any special law.

Sec. 3. **[275.124] Report of county auditor; certified levy; amount payable to district.** Prior to March 1 of each year, each county auditor shall report to the commissioner of education on forms furnished by the commissioner, the amount of the certified levy made by each school district within the county maintaining one or more classified secondary schools. The reports shall also contain the amount payable to each district pursuant to Minnesota Statutes, Sections 273.13, Subdivision 15, 273.69, 297A.55 and 297A.57.

Sec. 4. Any levy that was inadvertently made in the year 1968 for general or special school purposes, exceeding any levy limitation law, is hereby validated and legalized.

Sec. 5. Section 1 of this act shall expire July 1, 1971.

Approved June 6, 1969.

CHAPTER 1110—H. F. No. 3009

[Not Coded]

An act relating to Independent School District No. 625 and tax levy limitation; amending Laws 1965, Chapter 705, Section 1, Subdivision 1.

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

Section 1. Laws 1965, Chapter 705, Section 1, Subdivision 17, is amended to read:

Subd. 17. **Independent School District No. 625; tax limitation.** If a majority of those voting on the question vote in the affirmative, the proposed new limitation shall take effect; otherwise the same shall be rejected.

(a) *In the event that any increase in the tax limitation for said school district shall be rejected by the electorate pursuant to the provisions on referendum as provided in this act, then said school board shall be authorized to levy a mill rate increase over the prior year in accordance with the following formula:*

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