

Subd. 3. Subject to the provisions of section 243.55 and the duty of the warden or superintendent to take reasonable precautions to prevent the introduction of contraband into a correctional institution, representatives of the public news media shall, upon their own request, be permitted to interview any consenting inmate or representatives of a consenting group of inmates of the state at the times and under the circumstances described in subdivision 1. Any representative of the public news media who is denied access to a correctional institution must be given the reasons therefor in writing, and he may appeal such denial to the commissioner of corrections.

Subd. 4. A "representative of the public news media" means a person employed by and authorized to represent any television station licensed by the Federal Communications Commission, any radio station licensed by the Federal Communications Commission, national wire service, or any newspaper or periodical having a monthly statewide circulation of at least one thousand copies.

Subd. 5. An emergency shall be defined as a situation in which, in the best judgment of the correctional authorities, there is an imminent threat to life, security or property.

Approved April 11, 1974.

CHAPTER 561—S.F.No.1530
[Coded]

An act relating to education, authorizing and prohibiting certain pupil fees.

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

Section 1. [120.71] EDUCATION; MINNESOTA PUBLIC SCHOOL FEE LAW; CITATION. This act may be cited as "The Minnesota Public School Fee Law."

Sec. 2. [120.72] GENERAL POLICY. It is the policy of the state of Minnesota that public school education shall be free and no pupil shall be denied an education because of economic inability to furnish educational books and supplies necessary to complete educational requirements necessary for graduation. Any practice leading to suspension, coercion, exclusion, withholding of grades or diplomas, or discriminatory action based upon nonpayment of fees denies pupils their right to equal protection and entitled privileges. It is recognized that school boards do have the right to accept voluntary contributions and to make certain charges and to establish fees in areas considered extra curricular, noncurricular or supplementary to the requirements for the successful completion of a class or educational program. No public school board may require, except as authorized by sections 3 and 5,

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the payment of fees.

Sec. 3. [120.73] AUTHORIZED FEES. Subdivision 1. A school board is authorized to require payment of fees in the following areas:

(a) In any program where the resultant product, in excess of minimum requirements and at the pupil's option, becomes the personal property of the pupil;

(b) Admission fees or charges for extra curricular activities, where attendance is optional;

(c) A security deposit for the return of materials, supplies, or equipment;

(d) Personal physical education and athletic equipment and apparel, although any pupil may provide his own if it meets reasonable requirements and standards relating to health and safety established by the school board;

(e) Items of personal use or products which a student may purchase at his own option such as student publications, class rings, annuals, and graduation announcements;

(f) Fees specifically permitted by any other statute;

(g) Field trips considered supplementary to a district educational program;

(h) Any authorized voluntary student health and accident benefit plan;

(i) For the use of musical instruments owned or rented by the district, a reasonable rental fee not to exceed either the rental cost to the district or the annual depreciation plus the actual annual maintenance cost for each instrument.

Subd. 2. Students may be required to furnish personal or consumable items including pencils, paper, pens, erasers and notebooks.

Subd. 3. This act shall not preclude the operation of a school store wherein pupils may purchase school supplies and materials.

Subd. 4. A school board may waive any such deposit or fee if any pupil or his parent or guardian is unable to pay it.

Sec. 4. [120.74] PROHIBITED FEES. Subdivision 1. A school board is not authorized to charge fees in the following areas:

(a) Textbooks, workbooks, art materials, laboratory supplies, towels;

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(b) Supplies necessary for participation in any instructional course except as authorized in sections 3 and 5;

(c) Field trips which are required as a part of a basic education program or course;

(d) Graduation caps, gowns, any specific form of dress necessary for any educational program, and diplomas;

(e) Instructional costs for necessary school personnel employed in any course or educational program required for graduation;

(f) Library books required to be utilized for any educational course or program;

(g) Admission fees, dues, or fees for any activity the pupil is required to attend;

(h) Any admission or examination cost for any required educational course or program;

(i) Locker rentals.

Subd. 2. No pupil's rights or privileges, including the receipt of grades or diplomas may be denied or abridged for nonpayment of fees; but this provision shall not prohibit a school district from maintaining any action provided by law for the collection of such fees authorized by sections 3 and 5.

Sec. 5. [120.75] HEARING. Subdivision 1. Prior to the initiation of any fee not authorized or prohibited by sections 3 and 4, the local school board shall hold a public hearing within the district upon three weeks published notice in the district's official newspaper. The local school board shall notify the state board of any fee it proposes to initiate under this section. If within 45 days of this notification, the state board does not disapprove the proposed fee, the local school board may initiate the proposed fee.

Subd. 2. The state board pursuant to the administrative procedures act, Minnesota Statutes, Sections 15.04 to 15.0426, and consistent with the general policy of section 2 shall have the power to specify further authorized and prohibited fees and to adopt rules and regulations for the purposes of this act.

Sec. 6. [120.76] POST-SECONDARY INSTRUCTIONAL PROGRAMS. This act shall not be construed to prohibit a school board from charging reasonable fees for goods and services provided in connection with any post-secondary instructional program, including but not limited to vocational-technical, adult veterans, continuing education, community services, evening school and general educational development programs.

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Sec. 7. **EFFECTIVE DATE.** This act shall be effective on July 1, 1975.

Approved April 11, 1974.

CHAPTER 562—S.F.No.1728
[Coded in Part]

An act relating to garnishment, state employees; and executions; amending Minnesota Statutes 1971, Chapter 550, by adding a section; and Section 571.46.

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

Section 1. Minnesota Statutes 1971, Chapter 550, is amended by adding a section to read:

[550.041] GARNISHMENT; EXECUTION OF SMALL JUDGMENTS. When a judgment creditor proposes to make execution on a judgment debt of not more than \$2,500 from money owed to the judgment debtor by a third party, the execution may be made by the attorney for the judgment creditor or sheriff through a registered or certified letter to the third party containing the information prescribed by section 550.14. Upon receipt, the third party shall remit as much of the amount due under section 550.04 as his own debt equals to the sheriff or attorney who shall proceed in all other respects like the sheriff making a similar execution. The attorney shall be allowed no costs from any party other than the judgment creditor for execution in accordance with this section.

Sec. 2. Minnesota Statutes 1971, Section 571.46, is amended to read:

571.46 MONEY DUE FROM STATE DEPARTMENTS. Money due or owing to any corporation or person by the state on account of any employment, work, or contract with ~~the commissioner of highways—~~ any state department or agency is liable to garnishment. The garnishee summons may be served upon the ~~commissioner of highways—~~ head of the department or agency by registered mail; and the disclosure shall be made by the ~~commissioner—~~ head of the department or agency, or by some person designated by him having knowledge of the facts. If payment is made pursuant to judgment against the state as garnishee a certified copy of the judgment, with a certificate of satisfaction to the extent of such payment endorsed thereon; shall be delivered to the ~~commissioner~~ head of the department or agency as his voucher for such payment.

Approved April 11, 1974.

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