

also approve any application for federal funds made by the city of Breckenridge, and may enter into the agreement with the city required by Minnesota Statutes, Section 360.0161, for the acceptance, disbursement and expenditure of such funds, all in connection with the joint airport.

Subd. 5. In the event that the joint airport board is formed the Minnesota State Commissioner of Aeronautics or his designate will be an ex-officio member of that board.

Subd. 6. The city council of Breckenridge may appropriate any federal or state funds received by the city for airport purposes for the payment of its share of the cost of acquisition and betterment of the joint airport, and may transfer the funds to the joint airport board to be expended in accordance with the terms of the agreement.

Sec. 3. **When effective.** This act shall become effective upon approval by a majority of the governing body of the city of Breckenridge, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 22, 1967.

CHAPTER 661—S. F. No. 1880

[Not Coded]

An act relating to the special district No. 1 of the city of Minneapolis; amending Laws 1959, Chapter 462, as amended by Laws 1961, Chapter 565 and Laws 1963, Chapter 645.

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

Section 1. Laws 1959, Chapter 462, Section 1, as amended by Laws 1961, Chapter 565, Section 1 and Laws 1963, Chapter 645, Section 1, is amended to read:

Section 1. **Special School District No. 1, Minneapolis; administration.** The special school district now existing in the city of Minneapolis is a special independent school district subject to the provisions of Laws 1959, Chapter 462, as amended by Laws 1961, Chapter 565, and Laws 1963, Chapter 645, and this act. No provision of the Minneapolis home rule charter shall be applicable thereto, except as provided in this act.

Changes or additions indicated by italics, deletions by strikeout.

Sec. 2. Laws 1959, Chapter 462, Section 2, as amended by Laws 1963, Chapter 645, Section 2, is amended to read:

Sec. 2. The governing body of such school district shall be a board of education, which board shall have the care, management, supervision, conduct and control of the school district and shall have all the powers and rights of school boards of independent school districts except as otherwise stated. The special independent school district shall have representation upon the library board, *board of estimate and taxation* and city planning commission as ~~now~~ or hereafter provided under the Minneapolis home rule charter; ~~but said special independent school district shall not have any representation upon the board of estimate and taxation.~~

✓ Sec. 3. Laws 1959, Chapter 462, Section 3, as amended by Laws 1961, Chapter 565, Section 2, as amended by Laws 1963, Chapter 645, Section 3, is amended to read:

Sec. 3. *Subdivision 1.* Such special independent school district shall have all the powers, privileges, duties and obligations of independent school districts as provided by the state laws as of April 20, 1961, except as follows:

~~Subdivision 1.~~ *Subd. 1a.* The board of education of such district shall consist of seven directors, each of whom shall be elected at large for a term of six years, or until his successor has been elected and qualified. The directors shall receive no compensation.

Subd. 2. In case any vacancy occurs in the office of school director because of death, resignation or cessation of his residence in the district, or any other cause, so that after the next general school election following such vacancy there shall be remaining at least two years of his unexpired term, a school director shall be elected at the next general school election to fill the place of such director, but until such election, or if no election is to be had under the foregoing provisions or because of the lack of time to comply with the election requirements when an election is pending, the remaining directors shall fill such vacancy. The director so appointed shall hold office until the first Monday in July following the election of a successor, or until that successor qualifies.

Subd. 3. The board of education shall, as soon as practicable after the close of each calendar ~~calendar~~ *fiscal* year, cause to be printed, published and distributed a report of the condition of the public school program under its charge, and of all the property under its control, with full and accurate account of all receipts and of all expenditures of the school district during the preceding year including operating and maintenance expenses as well as all expenses for capital outlay

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and building site improvement. The report shall also include a full listing of the salary schedules for all school personnel, certificated and non-certificated in effect during the preceding year.

Subd. 4. Not later than ~~December 15~~ *the 15th day of the last month* of each ~~calendar~~ *fiscal* year the board shall adopt and cause to be published two separate budgets, an operating budget and a capital budget for the subsequent ~~calendar~~ *fiscal* year. The board shall adopt and publish standards governing the content of its budgets *and of its annual report.*

Subd. 5. The school district shall develop a comprehensive long-range building plan to project forward school needs at any given time for at least the next fifteen years, such plan to include the needs of the district in connection with school sites, new schools and additions to existing buildings, retiring of obsolete facilities, and rehabilitating, remodeling, and equipping existing school buildings. Such plan shall be reviewed and updated by the school staff and the board yearly commencing in 1964. Such plan shall be submitted yearly commencing in 1963 by the board to the city planning commission for its review and recommendations.

Subd. 6. All primary and general school elections of the school district shall be held at the same time and place as the Minneapolis municipal primary and general elections. All candidates for school director shall file for office in the manner provided for municipal officers in the city of Minneapolis and a number of candidates equal to twice the number of board vacancies shall be nominated at the school primary election. All provisions of law relating to Minneapolis elections shall apply to all school elections, except that elections shall be called by resolution of the board of education and the school clerk shall cause notice of election to be published in a daily newspaper of general circulation in the city once each week for three consecutive weeks prior to the date of election. All school elections shall be canvassed by the board of education. The school district is authorized and empowered to contract with the city of Minneapolis for the payment of its proportionate share of the cost of holding all school district elections.

Subd. 7. The school district shall contract with the city of Minneapolis for facilities and services as are furnished by the civil service commission, and unless the board of education and city governing body each adopts a resolution declaring that a particular function would be most efficiently and effectively handled separately, the board shall contract on a pro rata cost basis for facilities and services provided by the purchasing department; and city planning

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commission. The school district may also contract with the city for other services supplied by such city.

Subd. 8. The civil service provisions of the Minneapolis home rule charter or of any law applicable to the city of Minneapolis shall be applicable to employees of the special independent school district, except employees not now under civil service.

Subd. 9. The tenure, pension and retirement provisions of any law applicable to employees of the special school district of Minneapolis, including employees belonging to the municipal employees retirement fund and those belonging to the Minneapolis teachers' retirement fund association shall continue to be applicable in the same manner and to the same extent to employees of the special independent school district. The provisions of any general law or laws which are applicable only to independent school districts wholly or partially within cities of the first class, shall not be applicable to the special independent school district of Minneapolis and the provisions of Minnesota Statutes, Section 135.24 applicable only to teachers retirement fund association in cities of the first class, limiting the amount of annuity to be paid from public funds, limiting the taxes to be levied to carry out the plan of such associations, and limiting the amount of annuities to be paid beneficiaries, shall not be applicable to the special independent school district of Minneapolis. The powers, duties, and corporate structure of the Minneapolis teachers' retirement fund association, and the laws applicable thereto, shall be and remain the same in the special independent school district of Minneapolis as at the time of enactment of the within law, until changed in accordance with law.

Subd. 10. As used in this act the word "project" shall mean any proposed new or enlarged school building site, any proposed new school building or any proposed new addition to a school building, and "undertaking" shall mean any other purpose for which bonds may be issued as authorized in this subdivision. Subject to the limitations of subdivision 11, the special independent school district of Minneapolis may issue and sell bonds with the approval of 53 percent of the electors voting on the question at a general school district election, or at a school district election held at the same time and place within the district as a state general or primary election, as determined by the board of education. Subject to the provisions of subdivision 11, the school district may also by a two-third majority vote of all the members of its board of education and without any election by the voters of the district, issue and sell in each calendar year bonds of such district in an amount not to exceed one-half of one percent of the assessed value of the taxable property in such district provided however, that the board shall submit the list of proj-

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ects and undertakings to be financed by such proposed issue to the city planning commission as provided in subdivision 11(c) prior to the issuance of such bonds. All bonds of the school district shall be payable in not more than 20 years. The proceeds of the sale of such bonds shall be used only for the rehabilitating, remodeling, expanding and equipping of existing school buildings and for the acquisition of sites, construction and equipping of new school buildings, and for acquisition and betterment purposes, and no part of such proceeds shall be used for maintenance. The provisions of this act shall apply to the issuance and sale of such bonds and to the purposes for which the same may be issued notwithstanding any provisions to the contrary in any other existing law relating thereto.

Subd. 11. The special independent school district shall not be subject to any charter limitations with respect to bonded indebtedness but shall be subject only to the limits on bonded indebtedness of independent school districts under Minnesota Statutes, Section 475.53, Subdivision 4, and to the following additional limitations:

(a) The school district shall not be subject to a net debt in excess of 10 percent of the assessed value of all taxable property therein. The net debt of the school district for the purposes of this limitation is the amount of bonds less the amount of all money and the face value of all securities then held as a sinking fund for the payment of such bonds, and shall not include school aid and tax anticipation certificates of indebtedness not in default.

(b) No election shall be held on a proposed issue of bonds unless the board has submitted to the city planning commission a statement of the location and general description, so far as then known, of any project proposed to be constructed or acquired from the proceeds of such bonds with a request for preliminary approval of each such project as being in accordance with the comprehensive plan of the city of Minneapolis. The commission may state its preliminary approval or disapproval of the projects included in such statement within 60 days after receipt thereof, and failure so to do shall be deemed to signify preliminary approval of such projects. In the event the commission shall disapprove any proposed project included in the statement, a vote of at least six members of the board of education shall be required for the adoption of a resolution submitting the proposed bond issue to the electors. Notwithstanding the preliminary approval of any project as herein provided, such project shall be resubmitted to the city planning commission at the time and in the manner specified in part (c) of this subdivision. The location and nature of each project shall be determined by the board of education and reviewed by the city planning commission at the time,

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with reference to the circumstances then existing. Nothing herein shall prevent the revision or elimination of any project previously given preliminary approval or the substitution of another project therefor, by the procedure specified in part (c), if considered necessary by the board to fulfill its responsibilities for public education, and for the construction of school facilities so far as possible in accordance with the comprehensive city plan, provided however no such revision, elimination or substitution shall be made unless approved by unanimous vote of all members of the board of education. Notwithstanding anything to the contrary contained in this act no election shall be held on a proposed issue of bonds on a date earlier than 60 days after preliminary approval or disapproval by the city planning commission.

(c) The school district shall not expend the proceeds of bonds for any purpose provided for in subdivision 10 unless a proposed resolution stating the location and general description of the project or undertaking shall have been submitted to the city planning commission for consideration of the proposed project or undertaking as being in accordance with the comprehensive plan of the city of Minneapolis. The commission may state its approval or disapproval of the proposed project or undertaking within 60 days thereafter. A failure on the part of the commission to state its disapproval within 60 days after receipt of such resolution shall be deemed an approval. In the event the commission shall disapprove any proposed project or undertaking, a unanimous vote of the members of the board of education shall be required for the adoption of the resolution.

Subd. 12. The special independent school district of Minneapolis shall be liable for all of the outstanding bonded indebtedness and interest thereon which is attributed to and connected with the acquisition of sites, construction, maintenance, rehabilitation and operation of schools of the city of Minneapolis including any school bonds that have been refunded, which prior hereto have been issued by the city council or the board of estimate and taxation of the city of Minneapolis.

Subd. 13. The provisions of any statute requiring the publication of official proceedings of the board of an independent school district shall not be applicable to the special independent school district of Minneapolis established under the provisions of this act.

Subd. 14. The provisions of Minnesota Statutes, Section 123.33, Subdivision 8, concerning the removal of a board member or officer of an independent school district, shall not be applicable to the special independent school district of Minneapolis, established under the provisions of Laws 1959, Chapter 462.

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Sec. 4. Laws 1959, Chapter 462, Section 5, Subdivision 5, as amended by Laws 1961, Chapter 565, Section 3, Subdivision 5, as amended by Laws 1963, Chapter 645, Section 5, Subdivision 5, is amended to read:

Subd. 5. The clerk of the board shall give notice of the proposed sale, calling for bids thereon at the time and place so specified, by at least one publication in a daily newspaper published in the school district, at least three days before such date of sale. At the time and place so fixed, such certificates may be sold by the ~~chairman, clerk and treasurer~~ *officers of the board designated in the resolution* to the bidder who will agree to purchase the same on terms deemed most favorable to the school district. Such certificates shall be signed in behalf of the school district by the chairman and clerk and countersigned by the treasurer and delivered by the treasurer upon receipt of the purchase price thereof.

Sec. 5. Laws 1959, Chapter 462, Section 6, as amended by Laws 1963, Chapter 645, Section 6, is amended to read:

Sec. 6. Subdivision 1. The board of education of the special independent school district of Minneapolis may not levy taxes on real and personal property for school purposes in any year at a mill rate exceeding the mill rate limitation in effect in such district, for the preceding year, ~~except as~~ *The mill rate limitation for 1968 and thereafter shall be 67.5 mills, plus any increases over such amount as may be authorized by this section.* The levy subject to this limitation shall not include levy for pensions, employee benefits and debt service, which shall continue to be levied separately as now provided by law. Nothing herein shall authorize a levy in excess of the limitation contained in Minnesota Statutes 1957, Section 275.12.

Subd. 2. If the board desires to increase the tax limitation imposed by Subdivision 1, it shall adopt a resolution which shall contain the following information:

- (a) The current mill rate limitation.
- (b) The new mill rate limitation proposed by the board and the amount of the increase.
- (c) The date and place of public hearing on the matter, which date shall be not less than ~~45~~ 30 nor more than 60 days after the date of adoption of said resolution.

Subd. 3. The school clerk shall cause notice of the public

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hearing to be published in a daily newspaper of general circulation in the city at least once each week for three consecutive weeks prior to the date of hearing. The notice shall contain a copy of the initial resolution and state that all interested parties shall have the right to appear and testify at such hearing.

Subd. 4. Not more than 30 days after the public hearing, the board may, by resolution, establish a new mill rate limitation not in excess of that proposed in the initial resolution. The new limitation shall take effect and become permanent sixty days after the date of the adoption of said resolution unless the people take action to *reject review* the limitation in the manner provided in subdivision 5 or the school board by majority vote directs the limitation be submitted to the electors for their approval or rejection.

Subd. 5. If within 60 days after the adoption of the resolution setting a new limitation, a petition is submitted to the school board signed by registered voters of the city equal in number to not less than five percent of those voting at the last previous regular school district election, or 5,000, whichever is the lesser, which petition shall contain upon each page on which signatures appear a statement that the signers request the proposed new limitation be submitted to the people *or the board of estimate and taxation* for their approval or rejection and the certificate *under oath* of the person circulating the petition that the petition was signed in his presence, within 30 days after the petition is submitted to the school board, the board shall by resolution determine the sufficiency of the petition and if it determines that the petition is sufficient in form and number of signatures *the board shall proceed in accordance with subdivisions 6 and 7 following.* ~~or if within 30 days after the petition is submitted to the school board, the board by a majority vote directs the new limitation to be submitted to the electors for their approval or rejection, the school board shall submit the question to a vote. The question shall be submitted at a general or primary school district election or at a school election held at the same time and place within the district as a state general or primary election of any such school or state election occurs within six months and not less than two months after the date of the board resolution. Otherwise, the board may call a special election for the purpose of submitting the question. The board shall notify the city clerk that the matter is to be submitted to vote not less than 30 days prior to the election date. Upon the adoption of the board's resolution submitting the matter to vote, all proceedings to increase the tax shall be stayed until the new limitation has been approved by the electorate. Any interested party may appeal from the determination of the board to the district court of Hennepin County within 20 days after the adoption of the resolution~~

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determining the petition was sufficient or insufficient. Said matter shall be heard summarily on the records of the district and affidavits and stipulations as to the facts, or de novo at the court's discretion, and the court shall affirm the board's action or direct the board to adopt the proper resolution. The ballot used at the election shall have printed thereon the following:

"Shall the maximum tax levy for school purposes proposed by the school board of _____ mills (an increase of _____ mills) in accordance with the resolution of the board dated _____ be approved?"

Yes _____

No _____"

Subd. 6.—If 53 percent of those voting on the question vote in the affirmative, the proposed new limitation shall take effect; otherwise, the same shall be rejected.

Subd. 6. If the board determines that the petition is sufficient, or determines on its own motion to have a review of the new mill rate limitation or part thereof, it shall, by resolution, establish again a new mill rate limitaiton not in excess of that previously adopted.

(a) If this resolution is passed by the affirmative vote of at least two-thirds of all the members of the board, the new limitation shall take effect and become permanent upon adoption of said resolution to the extent that the levy does not exceed 67.5 mills (or the previous year's limitation, if larger than 67.5 mills) increased in accordance with the following formula: If the revised consumers price index, as published by the United States department of labor, bureau of labor statistics, for the city of Minneapolis, Minnesota, or if no such index is published for the city of Minneapolis, for the nearest city to Minneapolis for which such index is published, as of January 15 of any year, or for the date nearest to January 15 if no such index is published as of January 15, shall be above 110, using the average for the years 1957-1959 as a base, the increase shall be 1.25 percent for each point increase in said index above 110, disregarding fractional points of increase if less than one-half point and treating fractional points of increase as full points if one-half point or more. Any portion of the increase in the limitation which is in excess of such amount shall take effect and become permanent only as provided in subdivision 7.

(b) If the resolution is passed by the affirmative vote of less than two-thirds of all the members of the board the new limitation shall take effect and become permanent only as provided in subdivision 7.

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Subd. 7. If all or any portion of the increase in the limitation does not, under the provisions of subdivision 6, become effective upon adoption of the subdivision 6 resolution, then the board of education shall, in such resolution, designate the portion thereof which does not become effective upon adoption of the resolution, and shall determine whether such designated portion shall be submitted to a vote of the people or to the board of estimate and taxation. If it determines to proceed as to such portion by submission to a vote of the people, the provisions of (a) following shall apply. If it determines to proceed as to such portion by submission to the board of estimate and taxation, the provisions of (b) following shall apply:

(a) The board shall submit the question to the voters at a general or primary school district election or at a school election held at the same time and place within the district as a state general or primary election, if any such school or state election occurs within six months and not less than two months after the date of the board resolution. Otherwise, the board shall call a special election for the purpose of submitting the question within six months and not less than two months after the date of the board resolution. The board shall notify the city clerk that the matter is to be submitted to vote not less than 30 days prior to the election date. The ballot used at the election shall have printed thereon the following:

“Shall the maximum tax levy for school purposes proposed by the school board of mills (an increase of mills) in accordance with the resolution of the board dated be approved?

Yes.....

No.....”

If 53 percent of those voting on the question vote in the affirmative, the said increase so submitted shall then take effect; otherwise it shall be rejected.

(b) The board shall, within two days following the adoption of the resolution, file with the board of estimate and taxation a copy of said resolution together with a request that the board of estimate and taxation review all or any portion of the increase which, under the provisions of subdivision 6, did not become effective upon adoption of the resolution. The board of estimate and taxation shall hold a public hearing and may take whatever other action it deems appropriate to determine whether that part of the increase which did not become effective upon adoption of the resolution, is a reasonable increase. If the board of estimate and taxation finds that all or any part of such increase submitted to it is unreasonable, then it may by

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resolution adopted by a majority vote of all members reject such unreasonable portion, and the part so rejected shall not take effect. Any part of such increase not so rejected by the board of estimate and taxation within thirty days from the date of the resolution by the board of education shall then take effect.

Sec. 6. *This act shall become effective as provided in the general laws of the state at the time of its final enactment. If under these laws local approval is required, this act shall become effective when approved by a resolution adopted by a majority vote of the board of education of Special School District No. 1, the city council of the city of Minneapolis and the board of estimate and taxation in the city of Minneapolis and upon compliance with Minnesota Statutes, Section 645.021.*

Approved May 22, 1967.

CHAPTER 662—S. F. No. 2001

[Not Coded]

An act relating to Independent School District No. 694; authorizing the school board to issue bonds and levy taxes for the payment thereof.

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

Section 1. **Independent School District No. 694, Buhl; bonds.** Subdivision 1. The school board of Independent School District No. 694, which includes the village of Buhl in St. Louis county and other territory, may issue bonds of the district in an amount not exceeding \$150,000 over and above any bonded indebtedness heretofore incurred by the district, to provide funds for the acquisition and betterment of school facilities. Such bonds shall be authorized, issued and sold in the manner provided by Minnesota Statutes, Chapter 475.

Subd. 2. The school board may by resolution levy a tax annually for not less than five years tax on all taxable property in the district for the payment of the principal of and interest on such bonds, without limitation as to rate or amount; and the levy of such tax shall not cause the amounts of other taxes levied by the district which are subject to any limitation to be reduced by any amount whatsoever.

Sec. 2. This act shall become effective upon its approval by

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