

"Dog kennel" does not mean a ~~municipal dog pound; a non-profit humane society animal shelter owned and operated by any political subdivision of the state; or a bona fide pet shop.~~

Sec. 2. Minnesota Statutes 1967, Section 347.40, is amended to read:

347.40 **Exceptions.** Sections 347.31 to 347.40 shall in no way apply to ~~dog kennels owned, operated, or leased by any veterinarian licensed to practice in the state of Minnesota who keeps, congregates, or confines dogs in the normal pursuit of the practice of veterinary medicine.~~

The provisions of sections 347.31 to 347.40 shall not apply to any institution licensed to obtain animals under the provisions of section 35.71, and to any person licensed under P.L. 89-544, the federal laboratory animal welfare act.

Approved May 12, 1969.

#### CHAPTER 364—H. F. No. 510

*An act relating to education; the approval of plats upon consolidation or attachment of school districts; amending Minnesota Statutes 1967, Sections 122.21, Subdivision 4; 122.22, Subdivision 7; 122.23, Subdivisions 3, 6, 8, and 10; and 122.44, Subdivisions 3, 4, and 5.*

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

Section 1. Minnesota Statutes 1967, Section 122.21, Subdivision 4, is amended to read:

Subd. 4. **School districts; consolidation or attachment; plats.** Within six months of the time when the petition was filed, the county board shall issue its order either granting or denying the petition, unless all or part of the land area described in the petition is included in a plat for consolidation which has been approved by the ~~commissioner~~ *state board of education* in which event, no order may be issued while consolidation proceedings are pending. No order shall be issued which results in attaching to a district any territory not adjoining that district, as defined in subdivision 1(a). No order shall be issued which reduces the size of any district to less than four sections unless the district is not operating a school within the district. The order may be made effective at a deferred date not later than July 1 next following its issuance. If the petition be granted, the auditor shall

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transmit a certified copy to the commissioner. Failure to issue an order within six months of the filing of the petition or termination of proceedings upon an approved consolidation plat, whichever is later, is a denial of the petition.

Sec. 2. Minnesota Statutes 1967, Section 122.22, Subdivision 7, is amended to read:

Subd. 7. No order dissolving a district may be issued by the county board if the district to be dissolved is included in a plat for consolidation which has been approved by the ~~commissioner~~ *state board of education* and upon which plat final action has not been taken unless all of the district to be dissolved and all of the district or districts to which attachment is proposed are included in the approved plat.

Sec. 3. Minnesota Statutes 1967, Section 122.23, Subdivision 3, is amended to read:

Subd. 3. A supporting statement to accompany the plat shall be prepared by the county superintendent. The statement shall contain:

(a) The assessed valuation of property in the proposed district,

(b) If a part of any district is included in the proposed new district, the assessed valuation of the property and the approximate number of pupils residing in the part of the district included shall be shown separately and the assessed valuation of the property and the approximate number of pupils residing in the part of the district not included shall also be shown,

(c) The reasons for the proposed consolidation, "including a statement that at the time the plat is submitted to the ~~commissioner~~ *state board of education*, no proceedings are pending to dissolve any district involved in the plat unless all of the district to be dissolved and all of each district to which attachment is proposed is included in the plat,"

(d) A statement showing that the jurisdictional fact requirements of subdivision 1 are met by the proposal,

(e) Any other information the county superintendent desires to include,

(f) The signature of the county superintendent.

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

Sec. 4. Minnesota Statutes 1967, Section 122.23, Subdivision 6, is amended to read:

Subd. 6. The ~~commissioner~~ *state board* shall, upon receipt of a plat, forthwith examine it and approve, modify or reject it. *Prior thereto the state board or a member thereof or the commissioner or assistant commissioner as designated by the state board shall conduct a hearing at the nearest county seat in the area upon reasonable notice to the affected districts and county boards if requested within 20 days after submission of the plat. Such a hearing may be requested by the board of any affected district, a county board of commissioners, or the petition of 20 resident voters living within the area proposed for consolidation.* ~~He~~ It shall endorse thereon ~~his~~ *its* reasons for ~~his~~ *its* actions and within 60 days of the date of the receipt of the plat, ~~he~~ *it* shall return it to the county superintendent who submitted it. He shall furnish a copy of that plat, and the supporting statement and his endorsement to the auditor of each county containing any land area of the proposed new district. If land area of a particular county was included in the plat, as submitted by the county superintendent, and all of such land area is excluded in the plat as modified and approved, the ~~commissioner~~ *state board* shall also furnish a copy of the modified plat, supporting statement, and his endorsement to the auditor of such county.

Sec. 5. Minnesota Statutes 1967, Section 122.23, Subdivision 8, is amended to read:

Subd. 8. The board of any independent district maintaining a secondary school, the board of any common district maintaining a secondary school, or the board for unorganized territory, all or part of whose land is included in the proposed new district, shall, within 45 days of the approval of the plat by the ~~commissioner~~ *state board*, either adopt or reject the plan as proposed in the approved plat. If the board of any such district or unorganized territory entitled to act on the petition rejects the proposal, the proceedings are terminated and dismissed. If any board fails to act on the plat within the time allowed, the proceedings are terminated.

Sec. 6. Minnesota Statutes 1967, Section 122.23, Subdivision 10, is amended to read:

Subd. 10. If an approved plat contains land area in any district not entitled to act on approval or rejection of the plat by action of its board, the plat may be approved by the residents of such land area within 60 days of approval of plat by ~~commissioner~~ *the state board* in the following manner:

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A petition calling upon the county superintendent to call and conduct an election on the question of adoption or rejection of the plat may be circulated in such land area by any person residing in such areas. Upon the filing of such petition with the county superintendent, *executed by at least 25 percent of the resident freeholders* in each district or part of a district contained in such land area, the county superintendent shall forthwith call and conduct a special election of the electors resident in the whole land area on the question of adoption of the plat. For the purposes of this section, the term "electors resident in the whole land area" means and shall be construed to include any person or persons residing on any remaining portion of land, a part of which is included in the consolidation plat. Any freeholder owning land included in such plat who lives upon land adjacent or contiguous to that part of his land included in such plat shall be included and counted in computing the 25 percent of the resident freeholders necessary to sign such petition and shall also be qualified to sign such petition. *Failure to file such petition within 60 days of approval of plat by the commissioner state board* terminates the proceedings.

Sec. 7. Minnesota Statutes 1967, Section 122.44, Subdivision 3, is amended to read:

Subd. 3. The county auditor shall forthwith cause a plat to be made showing the size and boundaries of the areas proposed for attachment, the boundaries of the district maintaining classified elementary and secondary schools, grades one through twelve, to which it is proposed to attach the said areas, and the juncture points of the adjoining school districts, *together with such other information as may be required*, and submit the same to the ~~commissioner~~ *state board* of education upon forms provided by ~~him~~ *them* for this purpose. The intermediate order of the county board shall accompany the plat. A true copy of the plat together with a statement containing any other pertinent information the auditor may determine will be helpful to the ~~commissioner~~ *state board* shall be filed with the auditor of each county in which is situated any part of the dissolved district, and with the clerk of the district to which is proposed the attachment of all or any part of the territory of the district dissolved.

Sec. 8. Minnesota Statutes 1967, Section 122.44, Subdivision 4, is amended to read:

Subd. 4. The ~~commissioner~~ *state board* shall, upon receipt of a plat, forthwith examine it and approve, modify or reject it. Prior thereto ~~be the state board or a member thereof or the commissioner or assistant commissioner as designated by the state board~~ shall con-

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duct a hearing at the nearest county seat in the area upon reasonable notice to the affected districts *if requested within 20 days after submission of the plat. Such a hearing may be requested by the board of any affected district, a county board of commissioners, or the petition of 50 percent of the resident voters or 20 resident voters, whichever is less, living within the area proposed for attachment.* ~~He~~ The state board shall endorse thereon ~~his~~ its reasons for ~~his~~ its actions and ~~his~~ its recommendations for attachment and within 60 days of the date of the receipt of the plat ~~he~~ it shall return it to the county auditor who submitted it.

Sec. 9. Minnesota Statutes 1967, Section 122.44, Subdivision 5, is amended to read:

Subd. 5. The auditor shall present the plat and the recommendation of the ~~commissioner~~ *state board* to the county board at its next meeting. Upon 10 days notice to the affected districts attachment of the territory of the dissolved district shall thereupon be made by final order of the county board to districts maintaining classified elementary and secondary schools, *grades one through twelve.* Such final order shall provide for the attachment of territory therein described and shall be effective on the forthcoming July 1, unless an earlier date is specified. A copy of the order shall be served on each person entitled to a copy of the plat under subdivision 3 and to the commissioner. If the order of the county board makes a different provision for attachment of territory than that described in the plat approved by the ~~commissioner~~ *state board*, or in the recommendations made by ~~him~~ *it*, the order shall not become effective until ~~his~~ *its* approval has been given to the order. Any action in which the attachment of territory has not been completed by July 1, 1971, shall be subject to attachment, orders of the commissioner with the approval of the state board of education.

Approved May 12, 1969.

#### CHAPTER 365—H. F. No. 712

*An act relating to welfare; authorizing the commissioner of public welfare to establish procedures for the creation of county welfare board citizen advisory committees; amending Minnesota Statutes 1967, Section 256.01, Subdivision 2.*

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

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