

certain lands in their respective counties without the necessity of complying with the provisions of Minnesota Statutes, Section 373.01.

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

Section 1. Goodhue and Dakota counties; Lake Byllesby leases. The counties of Goodhue and Dakota are authorized to lease lands in their respective counties abutting upon Lake Byllesby without complying with the provisions of Minnesota Statutes, Section 373.01, Clause (3), requiring advertising for bids before entering into any such lease.

Sec. 2. This act takes effect upon the approval of the governing body of each specific county named in section 1, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 20, 1969.

CHAPTER 512—S. F. No. 8

[Not Coded]

An act relating to tax levies for the road and bridge fund in the county of Carver.

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

Section 1. Carver county; road and bridge tax levy. Notwithstanding the provisions of Minnesota Statutes, Section 163.05, the county board of Carver county may levy taxes for the county road and bridge fund in an amount which does not exceed 35 mills on the dollar of the taxable valuation of the county.

Sec. 2. This act takes effect when approved by the board of county commissioners of Carver county, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 21, 1969.

CHAPTER 513—S. F. No. 562

An act relating to education; state aid to school districts; amending Minnesota Statutes 1967, Sections 124.18, Subdivision 2, and 124.211, Subdivision 2.

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

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

Section 1. Minnesota Statutes 1967, Section 124.18, Subdivision 2, is amended to read:

Subd. 2. Education; school districts; state aid; tuition. Every district which provides instruction in other districts and which receives foundation program aid, and the county which pays tuition aid shall pay to the district furnishing elementary and secondary or area vocational-technical school instruction on account of such instruction, the actual cost thereof chargeable to maintenance exclusive of transportation costs *or the legal maximum prescribed in section 124.211, subdivision 2, clause (1).*

There shall also be paid for capital outlay and debt service to the district providing such instruction \$10 per pupil unit in average daily attendance for each non-resident pupil unit, except that every district educating non-resident pupils may charge and include in its tuition, for capital outlay and debt service, an amount per pupil unit in average daily attendance based on the amount that the average expenditure for capital outlay and debt service determined by dividing such annual expenditure by the total number of pupil units in average daily attendance in the district exceeds \$10 per pupil unit. If the district has no capital outlay or debt service the district receiving such funds may use them for any purpose for which it is authorized to spend money. Provided further that, if a district invests capital moneys to remodel existing facilities or to build new facilities for the primary purpose of providing instruction for handicapped and trainable children, as specified in Minnesota Statutes 1961, Sections 120.17 and 120.18, such district may charge and include in its tuition for capital outlay and debt service an amount per pupil unit in average daily attendance determined by dividing such expenditure over a period of years mutually agreeable to the districts concerned, and by dividing each annual amount so determined by the total number of pupil units in average daily attendance enrolled in this area of handicap instruction in the district.

Sec. 2. Minnesota Statutes 1967, Section 124.211, Subdivision 2, is amended to read:

Subd. 2. Notwithstanding any of the provisions of the education code or any law to the contrary the moneys otherwise appropriated by law for the foundation aid program shall be distributed for fiscal years 1968 and 1969 and thereafter pursuant to the following:

(1) Foundation program aid shall be special state aid for schools as computed under the terms of this section. No district shall

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be eligible for foundation program aid as thus computed which charges nonresidents *other than those living on university of Minnesota land or in the unorganized territory of Hennepin county* more than its otherwise unreimbursed per pupil unit cost during the current school year for capital outlay and debt service plus either its adjusted maintenance cost per pupil unit or 140 percent of the per pupil unit allowance established in clause (2) (a) of this subdivision, whichever is less, notwithstanding the provisions of any law to the contrary, except that the otherwise unreimbursed full per pupil unit cost thereof for nonresidents attending classes for handicapped children may be recovered by districts maintaining such classes.

(2) The maximum amount of foundation program aid, including the amounts payable as apportionment of the school endowment fund and Minnesota Statutes, Section 290.62, which a district or unorganized territory may receive shall equal (a) or (b) as calculated under the provisions of this subdivision, whichever is greater, less the maximum foundation program aid payable to the county for resident pupils of the district, computed under the provisions of this subdivision:

(a) For the school year ending June 30, 1968, aid shall be paid to a district on the basis of its actual total debt redemption and maintenance cost per pupil unit in average daily attendance or \$345, whichever is the lesser, for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance less 19 mills times the current adjusted assessed valuation of the district or unorganized territory; for the school year ending June 30, 1969, and each year thereafter aid shall be paid to a district on the basis of its actual total debt redemption and maintenance cost per pupil unit in average daily attendance or \$355, whichever is the lesser, for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance less 19 mills times the current adjusted assessed valuation of the district or unorganized territory; provided, that for the purpose of this subdivision the current adjusted assessed valuation in any district or unorganized territory which receives refunds under the gross earnings aid law or airport construction aid law or any similar law granting refunds or payments in lieu of taxes except sections 124.25, 124.30, 124.31 and 360.135 shall include the taxable valuation of exempt property used in computing the amount of such refund; also provided that, for the fiscal year beginning July 1, 1968, and thereafter, for districts receiving payments under sections 298.23 to 298.28, 298.32, 298.34 to 298.39, and 294.21 to 294.28, or under any other law now existing or hereafter enacted distributing proceeds of in lieu of ad valorem tax assessments on copper or nickel properties, the adjusted assessed val-

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uation as determined by the equalization aid review committee used in the foundation aid formula shall be increased by 15 percent of the previous year's payment so received divided by the current foundation program local effort rate as defined below. None of the other provisions of this section shall be construed to reduce the percentage listed in the prior sentence. The amount payable under (a) shall be reduced whenever the quotient hereinafter referred to as the local effort, obtained by dividing the levy spread in dollars for maintenance, including county tuition, public employees retirement association, and group insurance, where identified as such, on the taxable property of the district on or before January 10 of the current school year by the current adjusted assessed valuation used in computing the district's aid exclusive of the valuation applied in determining refunds under section 124.28, and exclusive of any valuation increase prescribed above because of any laws pertaining to the sections specified in this clause equals less than 19 mills. The adjustment shall be made by deducting from the foundation aid due under (a) the amount obtained by multiplying the current adjusted assessed valuation of the district by the number of mills the local effort as calculated in accordance with this subdivision is less than 19 mills.

(b) \$124 for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance for the school year ending June 30, 1968 and \$127 for the school year ending June 30, 1969, and each year thereafter. The amount payable under (b) for the school year ending June 30, 1968 shall be reduced whenever a district's total debt redemption and maintenance cost as defined in clause (5) in subdivision 2 is less than \$345 per pupil unit in average daily attendance. The amount payable under (b) for the school year ending June 30, 1969 and each year thereafter shall be reduced whenever a district's total debt redemption and maintenance cost as defined in clause (5) in subdivision 2 is less than \$355 per pupil unit in average daily attendance. The adjustment for the school year ending June 30, 1968, shall be made by deducting from the amount due under (b) the number of the district's resident pupil units in average daily attendance times the difference between \$345 and the district's total debt redemption and maintenance cost per pupil unit in average daily attendance. The adjustment for the school year ending June 30, 1969 and each year thereafter shall be made by deducting from the amount due under (b) the number of the district's resident pupil units in average daily attendance times the difference between \$355 and the district's total debt redemption and maintenance cost per pupil unit in average daily attendance.

The amount payable under (b) shall be further reduced whenever the quotient hereinafter referred to as the local effort obtained by

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dividing the levy spread in dollars for maintenance, including county tuition, public employees retirement association, and group insurance, where identified as such, on the taxable property of the district on or before January 10 of the current school year by the current adjusted assessed valuation equals less than 19 mills. The adjustment shall be made by deducting from the foundation aid due under (b) the amount obtained by multiplying the current adjusted assessed valuation of the district by the number of mills the local effort as calculated in accordance with this subdivision is less than 19 mills; provided, however, that for the purpose of this paragraph the amount payable under either (a) or (b) shall not be reduced below the amount payable as apportionment of the school endowment fund. In order to meet the conditions of clauses (a) and (b) of this subdivision and of the next preceding paragraph and to avoid the reduction of the school aids therein provided for, any governing body which is limited by local charter or by any provision of law, general or special, from levying 19 mills as required to meet the conditions of said clauses (a) and (b) and the next preceding paragraph, may levy, notwithstanding the provisions of such charter or law to the contrary, such additional number of mills as will enable it to meet such conditions.

(3) The maximum amount of foundation program aid which a county may receive as partial reimbursement for tuition paid shall be the total of the amounts of maximum foundation program aid earned by the attendance in classified secondary or area vocational-technical schools of pupils residing in districts of the county which do not maintain classified secondary schools. For each such district in which clause (2) (a) in subdivision 2 determines the maximum foundation program aid due, the maximum foundation program aid paid to the county shall be that amount which bears the same ratio to the maximum foundation program aid to which the district is entitled under clause (2) (a) as the total number of secondary and area vocational-technical school pupil units of the district bears to the total number of elementary, secondary, and area vocational-technical school pupil units of the district. For each such district in which (b) in subdivision 2 determines the amount of maximum foundation program aid due, the maximum foundation program aid paid to the county shall be \$124 times the total number of secondary and area vocational-technical school pupil units of the district for the school year ending June 30, 1968 and \$127 for the school year ending June 30, 1969, and each year thereafter except that whenever a district's total debt redemption and maintenance cost as defined in clause (5) of subdivision 2 in the school year ending June 30, 1967 is less than \$345 per pupil unit in average daily attendance or in the school year ending June 30, 1968 and each year thereafter is less than \$355 per

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pupil unit in average daily attendance; the aid for the school year ending June 30, 1968 or for the school year ending June 30, 1969, respectively, and each year thereafter shall be reduced as provided under (b) in subdivision 2.

The amount payable under this subdivision shall be further reduced whenever the quotient obtained by dividing the levy spread in dollars for maintenance, including county tuition, public employees retirement association, and group insurance, where identified as such, on the taxable property of the district on or before January 10 of the current school year by the current adjusted assessed valuation equals less than 19 mills. The adjustment shall be made as provided under (b) in subdivision 2.

(4) Current adjusted assessed valuation for the purpose of this act means the adjusted assessed valuation as determined by the equalization aid review committee under the provisions of this section; provided that for the 1965-1966 school year it shall mean the correct assessed valuation approved by the equalization aid review committee and filed with the commissioner of education in the calendar year 1963 and annually thereafter.

(5) Actual total debt redemption and maintenance cost per pupil unit in average daily attendance for the purpose of this section shall mean the sum of the cost per pupil unit in average daily attendance for payments on principal and interest of bonded debt and maintenance exclusive of transportation, expenditures for junior colleges, veterans training program, community services, and receipts from the sale of other items sold to the individual pupil by the school such as lunches, paper, workbooks, and other materials used in the instructional program, and receipts from quasi-school activities when the school board has assumed direction and control of same; provided, that for the 1965-1966 school year it shall mean the 1964-1965 total debt redemption and maintenance cost per pupil unit in average daily attendance as indicated in this clause and for years to follow it shall mean the total debt redemption and maintenance cost per pupil unit in average daily attendance in the previous year.

Sec. 3. *This act is effective July 1, 1969.*

Approved May 21, 1969.

CHAPTER 514—S. F. No. 1014

[Coded in Part]

An act relating to courts; selection of jurors; amending Minne-

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