
CHAPTER 194—S.F.No.2375

[Not Coded]

An act relating to education; reading program; appropriating money.

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

Section 1. EDUCATION; READING PROGRAM; APPROPRIATION. There is hereby appropriated to the state department of education from the general fund or any other fund designated for the purposes herein the sum of \$290,000 for the fiscal year ending June 30, 1977, to be used to continue the right to read program at a declining level of state financial contribution. The funds in this appropriation shall be expended by the department to provide technical assistance on a regional basis to school districts and nonpublic schools participating in reading programs.

Sec. 2. This act is effective the day after final enactment.

Approved April 8, 1976.

CHAPTER 195—H.F.No.374

An act relating to local government; local improvements; establishing procedures for deferment of special assessments against homesteads of senior citizens; imposing certain duties on county auditors; amending Minnesota Statutes 1974, Sections 429.021, Subdivision 3; 429.061, Subdivision 1; 435.193; and 435.194.

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

Section 1. Minnesota Statutes 1974, Section 429.021, Subdivision 3, is amended to read:

Subd. 3. LOCAL GOVERNMENT; LOCAL IMPROVEMENTS; ASSESSMENT PROCEDURES; RELATION TO CHARTER AND OTHER LAWS. When any portion of the cost of an improvement is defrayed by special assessments, the procedure prescribed in this chapter shall be followed unless the council determines to proceed under charter provisions; but this chapter does not prescribe the procedure to be followed by a municipality in making improvements financed without the use of special assessments.

If the council determines to proceed under charter provisions for special assessments, such provisions shall be deemed to include a requirement that notices of proposed assessments inform property own-

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ers of the procedures they must follow under the charter in order to appeal the assessments to district court. The notices shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality.

Sec. 2. Minnesota Statutes 1974, Section 429.061, Subdivision 1, is amended to read:

429.061 ASSESSMENT PROCEDURE. Subdivision 1. **CALCULATION, NOTICE.** At any time after a contract is let or the work ordered by day labor, the expense incurred or to be incurred in its making shall be calculated under the direction of the council. The council shall then determine by resolution the amount of the total expense the municipality will pay, other than the amount, if any, which it will pay as a property owner, and the amount to be assessed. Thereupon the clerk, with the assistance of the engineer or other qualified person selected by the council, shall calculate the proper amount to be specially assessed for the improvement against every assessable lot, piece or parcel of land, without regard to cash valuation, in accordance with the provisions of section 429.051. The proposed assessment roll shall be filed with the clerk and be open to public inspection. The clerk shall thereupon, under the council's direction, publish notice that the council will meet to consider the proposed assessment. Such notice shall be published in the newspaper at least once and shall be mailed to the owner of each parcel described in the assessment roll. For the purpose of giving mailed notice under this subdivision, owners shall be those shown to be such on the records of the county auditor or, in any county where tax statements are mailed by the county treasurer, on the records of the county treasurer; but other appropriate records may be used for this purpose. Such publication and mailing shall be no less than two weeks prior to such meeting of the council. Except as to the owners of tax exempt property or property taxes on a gross earnings basis, every property owner whose name does not appear on the records of the county auditor or the county treasurer shall be deemed to have waived such mailed notice unless he has requested in writing that the county auditor or county treasurer, as the case may be, include his name on the records for such purpose. Such notice shall state the date, time, and place of such meeting, the general nature of the improvement, the area proposed to be assessed, that the proposed assessment roll is on the file with the clerk, and that written or oral objections thereto by any property owner will be considered. The notice shall also state that an owner may appeal an assessment to district court pursuant to section 429.081 by serving notice of the appeal upon the mayor or clerk of the municipality within 20 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the mayor or clerk. The notice shall also inform property owners of the provisions of sections 435.193 to 435.195 and the existence of any deferment procedure established pursuant thereto in the municipality.

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Sec. 3. Minnesota Statutes 1974, Section 435.193, is amended to read:

435.193 SENIOR CITIZENS HARDSHIP SPECIAL ASSESSMENT DEFERRAL. Notwithstanding the provisions of any law to the contrary, any county, city, or town, making a special assessment may, at its discretion, defer the payment of that assessment for any homestead property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. Any county, city, or town electing to defer special assessments shall adopt an ordinance or resolution establishing standards and guidelines for determining the existence of a hardship, but nothing herein shall be construed to prohibit the determination of hardship on the basis of exceptional and unusual circumstances not covered by the standards and guidelines where the determination is made in a nondiscriminatory manner and does not give the applicant an unreasonable preference or advantage over other applicants.

Sec. 4. Minnesota Statutes 1974, Section 435.194, is amended to read:

435.194 PROCEDURE TO OBTAIN DEFERRED ASSESSMENT. The homeowner shall make application for deferred payment of special assessments on forms prescribed by the county ~~assessor-auditor~~ of the county in which the homestead is located. Where the deferred assessment is granted, the ~~assessor-auditor~~ shall record a notice thereof with the register of deeds of said county which shall set forth the amount of the assessment. The taxing authority may determine by ordinance or resolution the amount of interest, if any, on the deferred assessment and this rate shall be recorded by the ~~assessor-auditor~~ along with and in the same manner as the amount of the assessment.

Sec. 5. This act is effective on the day following its final enactment but shall not affect any improvement or assessment proceeding commenced prior to its effective date.

Approved April 8, 1976.

CHAPTER 196—H.F.No.404

[Coded in Part]

An act relating to financial institutions; allowing loans guaranteed by certain federal authorities; providing for certain installment loans and open end loan accounts; establishing certain recordkeeping and reserve requirements; providing certain remedies; amending Minnesota Statutes 1974, Sections 47.20; 48.153; 48.154; 48.155; 48.22; and 51A.19, Subdivision 4; and Chapter 48, by adding a section; repealing Minnesota Statutes 1974, Sections 50.161 to 50.165.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MIN-

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