

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1668

(SENATE AUTHORS: CHAMBERLAIN, Benson and Newman)

DATE	D-PG	OFFICIAL STATUS
03/12/2015	775	Introduction and first reading Referred to Education

A bill for an act

relating to education; education finance; authorizing a reverse referendum for school board-approved revenue authority under certain circumstances; prohibiting public school employees from using public funds and resources to advocate to pass, elect, or defeat a political candidate, ballot question, or pending legislation; amending Minnesota Statutes 2014, section 126C.17, subdivision 9a; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

Section 1. **[123B.022] PROHIBITIONS ON POLITICAL ACTIVITIES BY PUBLIC SCHOOL EMPLOYEES.**

Local school boards shall develop and implement policies to ensure that publicly funded resources, including but not limited to time, materials, equipment, facilities, and e-mail and other forms of technology used to communicate are not used or authorized for use by public school employees to:

(1) advocate the election or defeat of any candidate for elective office;

(2) advocate the passage or defeat of any referendum question; or

(3) solicit funds for political purposes.

Such policies shall not prohibit public employees from engaging in political activities except when they are performing duties assigned to them under their employment contract with the district or representing their employer in an official capacity.

Such policies shall not prohibit the use of public funds for disseminating factual information about a proposition appearing on a local ballot, if such information is factual and does not advocate for or against the proposition.

All school districts must make these policies readily accessible to the public in paper copy at the district office or on the district Web site.

2.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.2 Sec. 2. Minnesota Statutes 2014, section 126C.17, subdivision 9a, is amended to read:

2.3 Subd. 9a. **Board-approved referendum allowance.** (a) Notwithstanding
2.4 subdivision 9, a school district may convert up to \$300 per adjusted pupil unit of
2.5 referendum authority from voter approved to board approved by a board vote. A district
2.6 with less than \$300 per adjusted pupil unit of referendum authority after the local optional
2.7 revenue subtraction under subdivision 1 may authorize new referendum authority up to
2.8 the difference between \$300 per adjusted pupil unit and the district's referendum authority.
2.9 The board may authorize this levy once for up to five years and may subsequently
2.10 reauthorize that authority in increments of up to five years. In subsequent years, this
2.11 authority must be renewed according to subdivision 9.

2.12 (b) A referendum on the question of revoking or reducing the increased revenue
2.13 amount authorized in paragraph (a) shall be called by the board upon the written petition
2.14 of qualified voters of the district. A referendum to revoke the authority must state the
2.15 amount of authority, up to \$300 per adjusted pupil unit, that is proposed for revocation.

2.16 (c) A petition authorized in paragraph (b) is effective if signed by a number of
2.17 qualified voters in excess of 15 percent of the registered voters of the district on the day
2.18 the petition is filed with the board.

2.19 (d) A referendum to revoke the authority in paragraph (a) must be held on the first
2.20 Tuesday after the first Monday in November.

2.21 (e) Only one referendum to revoke the authority granted in paragraph (a) may be
2.22 called for each authorization of authority under paragraph (a).