

under this section, provided applicant pays the fees for such *truck-tractors*. The commission shall furnish a distinguishing plate for each vehicle or *truck-tractor* for which a fee has been paid, which plate shall at all times be displayed on the vehicle or *truck-tractor* to which it has been assigned. Plates may be reassigned to another vehicle or *truck-tractor* without fee by the commission upon application of the permit holder. Plates issued under the provisions of this section shall be good only for the period for which the permit is effective. The name and residence of the permit holder shall be stenciled or otherwise shown in a conspicuous place on each vehicle operated under his permit. The provisions of this section covering the registration of vehicles of permit holders shall also apply to the vehicles operated by auto transportation companies and *petroleum carriers*. In the event a permit has been suspended or revoked the commission may order a hearing upon an application for renewal thereof or upon an application for a permit to be issued to the holder of such suspended or revoked permit and may grant or deny such renewal or permit. *This act applies only to the registration of vehicles from and after July 1, 1953.*

Approved April 24, 1953.

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CHAPTER 744—H. F. No. 1916

[Coded in Part]

*An act relating to school districts and the organization, reorganization, consolidation and dissolution thereof, and the annexation of land thereto, extending the terms of the state advisory commission on school reorganization and terms of the county school survey committees; amending Minnesota Statutes 1949, Sections 122.03, 122.15, as amended; 122.41, 122.46; 122.47; 122.48, Subdivision 1; 122.49; 122.52, as amended; 122.53, 122.55, as amended, and repealing Section 122.56.*

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

Section 1. Minnesota Statutes 1949, Section 122.03, is amended to read:

122.03 **Composition.** All districts shall be composed of adjoining territory and any part of a district not so situated and not containing a schoolhouse used as such shall be *attached to a proper district* by the board of county commissioners, upon notice as in other cases, *except when an entire district or districts is or is to be a part of a district which maintains a secondary school located within the same high school area, and*

*there is no intervening or adjoining district maintaining a secondary school:*

Sec. 2. Minnesota Statutes 1949, Section 122.15, as amended by Laws 1951, Chapter 31, is amended to read:

**122.15 Annexation of land. Subdivision 1. Petition.** When any freeholder shall present to the board of county commissioners of any county a petition, verified by him, stating that he owns land adjoining any district or separated therefrom by not more than one-quarter section and that the intervening land is vacant and unoccupied or that its owner is unknown and that he desires his land, together with the intervening land, annexed to such adjoining district, and his reasons for asking such change, the board, upon notice and hearing as in the case of the formation of a new district and upon proof of all the allegations of the petition, may make its order granting the same, provided, that when the petition requests that territory be detached from a consolidated school district formed in accordance with the provisions of Minnesota Statutes, Sections 122.18 to 122.27, or from a school district reorganized in accordance with the provisions of Minnesota Statutes, Sections 122.40 to 122.57, subsequent to the elections on consolidation or reorganization, such petitions shall be approved by the school board of such consolidated or reorganized school district, and like notice of such change shall be given as in the case of the formation of a new district; provided, that if the land, or any part thereof, sought to be annexed and the adjoining district lie in different counties such annexation shall not be effective until such petition has been presented to the board of county commissioners of each county and each such board has made its order granting the same in the manner herein provided.

*Provided further that the approval of the school board of such consolidated or reorganized school district shall not be required for such petitions which have been presented to the board of county commissioners previous to an election on school district consolidation or reorganization.*

**Subd. 2. Spreading taxes. (1)** *When land is annexed to a school district which owes bonded indebtedness, by authority of subdivision 1, the county auditor shall thereafter in spreading taxes include such land and personal property assessed to the owner thereof in the same manner as would have been done if such land and personal property had been taxable in such school district before such bonds were delivered.*

**(2)** *Land heretofore annexed to a school district by authority of subdivision 1, which prior to such annexation in-*

*curred bonded indebtedness, shall hereafter be liable for taxation and the auditor shall hereafter in spreading taxes include such land and personal property assessed to the owner thereof in the same manner as would have been done if such land and personal property had been taxable in such school district before such bonds were delivered; provided the owner shall consent thereto in writing filed with the county auditor.*

Sec. 3. Minnesota Statutes 1949, Section 122.41, is amended to read:

**122.41 School survey committees.** *Subdivision 1. Members, terms.* A school survey committee of nine members may be created in any county of the state, the members of such committee to be selected within the time and in the manner hereinafter set forth. The members of the committee shall be voters of the county. *Terms of present members of the committees shall expire as follows: July 1, 1953 for three members, July 1, 1954 for three members, and July 1, 1955 for three members, the order of the expiration dates to be determined by lot. At the annual county meeting of school boards, committee members shall be elected for three year terms beginning with each expiration date. A survey committee upon the completion of its work and upon its written request made to the state advisory commission may be disbanded by the commission before the expiration date of the terms of the members of the survey committee.*

*Subd. 2. First election.* *At the first election of committees created under Section 11 of this act, three members shall be elected for a term of one year, three members for two years and three members for three years from the preceding July 1, and thereafter for a term of three years each.*

*Subd. 3. Vacancies.* In case of any vacancy on the committee, the remaining members shall select some qualified person to fill the vacancy until the next county meeting of school boards.

Sec. 4. Minnesota Statutes 1949, Section 122.46, is amended to read:

**122.46 Powers, duties.** The committee shall have power and it shall be its duty: (1) to study the school districts of the county and their organization for the purpose of recommending desirable reorganization which in the judgment of the committee will afford better educational opportunities for the pupils and inhabitants of the county, a more equitable, efficient, and economical administration of public schools and a more equitable distribution of public school revenues; and (2) to confer with school authorities and residents of the school

districts of the county, hold public hearings, and furnish to school board members and to the public information concerning reorganization of school districts in the county; and (3) to make reports of its study and recommendations, including a map or maps showing existing boundaries of school districts and the boundaries of proposed or recommended school districts, concerning the reorganization and financing of the school districts of the county; and (4) to evaluate periodically the recommendations in the final report for the purpose of including the latest available data.

Sec. 5. Minnesota Statutes 1949, Section 122.47, is amended to read:

**122.47 Tentative reports.** *Where a school survey committee is established for the first time under the provisions of Section 11 of this act, such committee shall within twelve months after its election prepare a tentative report with recommendations and shall file the same in the office of the county superintendent of schools and furnish a copy thereof to each member of a school board in the county. No change shall be made in the tentative recommendations by the county school survey committee for any proposed area until after completion of the hearings affecting that area. Fifteen copies thereof shall also be filed with the commissioner of education, who shall forward a copy to each of the members of the state commission. The county superintendent shall cause to be published in the official newspaper of the county a summary prepared by the committee of its tentative report, and shall give notice by publication at least once in one or more newspapers of general circulation in the county of the filing of such tentative report and that the same may be examined in his office, and shall fix the time or times not less than 15 days after the filing thereof with the county superintendent, of the place or places at which any resident of the county desiring to be heard with reference to the report or any part thereof may appear before the committee. Upon the date so fixed by the county superintendent of schools and such subsequent dates as may be necessary the committee or sub-committee thereof shall hold a public hearing or hearings at which residents of the county shall be afforded an opportunity to appear before the committee and be heard with reference to such tentative report. At such hearing, the committee shall explain the benefits and advantages and any disadvantages resulting from the reorganization of the district as the same appear to the committee. Any resident of the county or of any affected district shall at his request be heard with reference to the reorganization of any such district. Voters of the affected rural districts may petition the survey*

committee indicating their desire for and justified need of available attendance units in rural areas.

The committee shall also receive and consider such suggestions as may be made by the state commission concerning the committee's tentative report and the recommendations made therein.

Sec. 6. Minnesota Statutes 1949, Section 122.48, Subdivision 1, is amended to read:

**122.48 Final report.** Subdivision 1. The committee shall consider the matter presented at the several hearings held by it and the recommendations of the state commission and shall prepare a final report. *Within six months after the filing of the tentative report*, the final report of the committee with recommendations and with a map or maps showing the boundaries of the present school districts in the county and the boundaries of the proposed school districts in the county shall be filed with the county superintendent *who shall cause to be published in the official newspaper of the county a summary prepared by the committee of its final report*. Fifteen copies of such report shall at the same time be filed with the commissioner of education and a copy thereof shall be furnished to each school board member in the county by the county superintendent of schools. The report shall be available for public inspection in the office of the county superintendent and the office of the commissioner of education.

Sec. 7. Minnesota Statutes, Section 122.49, is hereby amended to read:

**122.49 State advisory commission on school reorganization.** The state advisory commission on school reorganization is hereby created, consisting of nine members appointed by the state board of education *for a term of six years*. The members of such commission shall be citizens of this state who are well informed concerning the problem of Minnesota schools and school organization, shall be representative of the various sections and interests of the state, and shall be appointed after consultation with persons and representatives of organizations interested in the reorganization and improvement of the school system of the state. No more than three members of such commission shall be persons who are professionally engaged in education or employees of any school district. Such commission shall elect a chairman from its membership. The commissioner of education shall be ex-officio secretary and executive officer of the state commission. The state board of education is authorized to fill any vacancies which may occur in the membership of such commission. Members of such commission shall serve without compensation but may be re-

imbursed for their necessary expenses incurred in attending meetings of the commission or while engaged in work authorized by the commission.

Sec. 8. Minnesota Statutes 1949, Section 122.52, as amended by Laws 1951, Chapter 305, Section 1, and by Laws 1951, Chapter 706, Section 7, is amended to read:

**122.52 Reorganization.** Subdivision 1. **Election.** In the event the final report of any committee recommends the reorganization of school districts, then the question of reorganizing such school districts, as recommended by the committee, shall be submitted to the legal voters residing in the proposed district only, at an election to be called by the county superintendent of the county in which such district or territory, or the major portion thereof is located, *within twelve months after the filing of the final report, unless a later date has been approved by the state board of education.* When a recommendation includes an existing joint district, a part of which lies in a county which has no survey committee, the entire joint district shall be included in the proposed larger school district by the survey committee making the recommendations. The county school survey committee shall hold public hearings for the purpose of discussing the final recommendations in each school district in the area affected and wherever possible in the school building thereof, and the election date shall not be determined until at least 30 days after the last public meeting on such recommendations. A notice of election shall be given, the question submitted, the election held and the vote canvassed and reported in accordance with the provisions of Minnesota Statutes, Section 122.21, for the submission of a similar or like proposal except that the filing of a petition *and a resolution* shall not be required, and the ballot shall read "For Reorganization" and "Against Reorganization," with appropriate space after each for the electors to indicate their wishes, and the entire area of such proposed district or territory shall vote as a unit; provided, that if any school districts maintaining a graded elementary school *are* located within any such proposed district or territory, then one or more voting precincts shall be established wholly within the limits of such urban school districts and one or more voting precincts shall be established wholly within that part of the district or territory lying outside the limits of such urban school districts, and the proposition to reorganize such school district shall not be deemed to have received a majority of the votes cast on the proposition or to carry, unless a majority of the votes cast within such urban school districts and a majority of the votes cast in such territory outside of such urban school districts, the count to be taken separately, each are in favor of establishing such school

district. *When one or more districts maintaining graded elementary and secondary schools are included in a recommendation, the votes shall be counted separately in each such district and unless a majority of the votes cast in each such district is in favor of the proposition to reorganize the proposal fails.*

**Subd. 2. Election procedure.** The county superintendent, with the approval of the county survey committee, shall determine the date of the election, the number of voting precincts, the polling places where such voting shall be conducted and the hours the polls will be open. Wherever possible the election shall be held in the school building of the school districts included in the proposal. The polls shall be open for at least two hours, and may be open for a longer period, not to exceed 12 hours, if so designated in the posted and published notices. The county superintendent, with the approval of the county survey committee, shall appoint three election judges *for each polling place*, who shall be school board members if *they are* available. *The* judges shall act as clerks of election, and canvass the ballots cast and thereafter submit the same to the county superintendent and the county survey committee.

**Subd. 3. Another election.** In case an election for reorganization has been held in accordance with the provisions of sections 122.40 to 122.57, and such election has failed, another election in any proposed district *may be held* at which time the same recommendation or a revised recommendation, approved by the state advisory commission, shall be submitted to the voters. Such election *when recommended by the county survey committee* shall be *called by the county superintendent* and conducted in accordance with the provisions of *this section*.

**Subd. 4. Orders, county superintendent.** If a majority of the votes cast be for reorganization, the county superintendent within ten days thereafter shall make proper orders to give effect to such vote and thereafter transmit a copy thereof to the auditor of each county in which any part of any district affected lies, and to the clerk of each district affected, and also to the state commissioner of education. The order shall specify the number assigned to the reorganized district.

**Subd. 5. School survey committee, submission of joint questions.** The school survey committee, which in its final report or amended final report has recommended the reorganization of school districts, may at its option submit to the voters of a proposed district the joint questions of reorganization and of assumption by the proposed district of the bonded indebtedness of all districts making up such proposed district on the same ballot, and with the consent of the school survey committee of an adjoining county include therein school dis-

trict in such adjoining county, such ballot to be in approximately the following form:

“For the reorganization of School Districts Nos. . . . . and . . . . . in . . . . . County (and School Districts Nos. . . . . and in . . . . . County), and for the assumption by the new districts of the bonded indebtedness of all such districts. . . .

“Against the reorganization of School Districts Nos. . . . . and . . . . . in . . . . . County (and School Districts Nos. . . . . and . . . . . in . . . . . County), and *against* the assumption by the new district of the bonded indebtedness of all of such districts. . . . ”

Sec. 9. Minnesota Statutes 1949, Section 122.53, is amended to read:

**122.53 Assets, liabilities.** When two or more existing districts or parts of districts, however organized, including a common, independent or special, are reorganized into a larger school district under the provisions of this act, the reorganized district shall thereby become an independent school district.

Districts organized under the provisions of this act having the land area specified in Minnesota Statutes, Section 122.19, shall have the powers, duties and privileges of a consolidated district.

In case of the reorganization of two or more districts or parts of districts into a larger district, any portions or parts of divided districts which have less than four sections of land shall be attached to one or more adjoining districts by the board of county commissioners upon due notice and hearing as provided in Minnesota Statutes, Section 122.03.

When two or more existing districts or parts of districts are united by proceedings herein authorized, Minnesota Statutes, Section 122.16, Subdivisions 5 and 6, and Sections 122.17, 122.18, 122.25, 122.26, and 122.27, as modified by *this act* shall apply.

Sec. 10. Minnesota Statutes 1949, Section 122.55, as amended by Laws 1951, Chapter 706, Section 8, is amended to read:

**122.55 School board.** Subdivision 1. **Nomination of candidates.** Upon reorganization, candidates for school board may be nominated in the manner provided in Minnesota Statutes, Section 124.05, the superintendent of the county who issued the order of reorganization performing the duties therein specified to be performed by the clerk.

Subd. 2. **Notice of election.** Not later than 30 days following the order of reorganization, the county superintendent shall give notice of election for the purpose of electing a school board for terms as specified in Minnesota Statutes, Section 124.02, Subdivision 3, Clause (4).

Subd. 3. **Election procedure.** In the conduct of the special school board election, the county superintendent shall, with the approval of the county survey committee, determine the date of election, the hours the polls shall be open, the number of voting precincts, the appointment of three election judges, and provide the official ballots. The election judges, who shall serve as clerks of the election, shall return all marked ballots with a certificate of the results of the precinct election to the county superintendent and the county survey committee for canvass and tabulation.

Subd. 4. **Time for holding election.** No election of a new school board shall be held within 30 days prior to the annual election for independent districts. In such case the election of the new school board members shall be held at the time of the annual election, the third Tuesday in May. The filings and the election shall be held in the manner prescribed in this section.

Subd. 5. **Maintenance of school.** The school board of each district included in the new enlarged district shall continue to maintain school therein until July 1 next following, but such boards shall have power and authority only to make such contracts and to do such things as are necessary to properly maintain the schools for the period they may be in session prior to said first day of July.

Subd. 6. **Immediate duties.** It shall be the immediate duty of the newly elected school board of the new enlarged district when the members thereof have qualified and the board has been organized, to plan for the maintenance of the school or schools of the new district for the next school year and to enter into the necessary contracts for the employment of personnel, purchase of equipment, and supplies and on said July 1 to assume the full duties of the care, management and control of the new enlarged school district. *The provisions of this subdivision shall apply also to the school boards of districts which have been enlarged by additional territory through consolidation procedure, except where such consolidation is with a district or districts maintaining a graded elementary or high school. The school board of the new enlarged district shall give due consideration to the feasibility of maintaining such existing attendance centers and of establishing such other attendance centers, especially in rural areas, as will afford*

*equitable and efficient school administration and assure the convenience and welfare of the pupils residing in the enlarged district.*

**Sec. 11. [122.553] Petition for county school survey committee. Subdivision 1. Election procedure.** *In any county in which there is no county school survey committee, such a committee may be elected upon presentation to the county superintendent of a petition asking for the formation of a county school survey committee signed by at least 15 percent of the duly elected and qualified school board members within the county. Upon receipt of the petition the county superintendent shall within sixty days call a special meeting of the school board members of the county unless the regular meeting of the school boards is to be held within six months of the date of the filing of the petition. The county superintendent shall give proper written notice to all school board members of an election on the formation of the county school survey committee. If a majority of such school board members voting shall be favorable thereto, the county superintendent shall forthwith divide the school board members into two groups as provided in Section 122.42 and the committee shall be elected for such terms and in the manner provided in Section 122.41, Subd. 2. Any committee so elected shall have such powers and duties as may have been or shall hereafter be given to similar committees previously established in other counties.*

**Subd. 2. Abolishment of committee.** *In any county in which a school survey committee has been created, and not less than one year after the committee has submitted its final report, 15 percent of the members of school boards in the county may petition the county superintendent of schools to call a public meeting of all members of school boards within the county to consider the question whether the school survey committee should be abolished. Upon receipt of the petition the county superintendent shall within sixty days call a special meeting of the school board members of the county unless the regular meeting of the school boards is to be held within six months of the date of the filing of the petition. The county superintendent shall give proper written notice to all school board members of an election on the abolition of the county school survey committee. When a majority of the members present and voting at the meeting approve the action, the school survey committee is thereby abolished.*

**Sec. 12.** Minnesota Statutes, Section 122.56 is hereby repealed.

**Sec. 13.** *Notwithstanding any of the provisions of this act to the contrary, this act shall expire on July 1, 1955.*

Approved April 24, 1953.