

*limits of such city, to contract with its superintendent for a period of years.*

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

**Section 1. Term of Superintendent of Schools in certain districts.**—In every independent or special school district within the limits of a city of the first class, the territorial limits of which school district coincide with the limits of such city, the board of education or other governing body is hereby authorized to enter into a term contract with its superintendent of schools for such time as it is deemed expedient, not to exceed a term of three years; provided, however, that this act shall not apply in any city of the first class where the city charter of such city provides for a definite term for such superintendent of schools.

Approved March 17, 1939.

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#### CHAPTER 62—S. F. No. 786

*An act to amend Mason's Minnesota Statutes of 1927, Section 2793, as amended by Laws of 1931, Chapter 390, and Laws of 1937, Chapter 427, and Sections 2793-1, 2802, 2805, 2806, 2807, 2832, and Laws of 1937, Chapter 221, Section 1, relating to the date and method of conducting school meetings and school elections, compensation of election officials, term of office of school board members, date of organization meeting of school boards, and date of clerk's report to county superintendent of schools.*

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

**Section 1. Annual school meetings.**—That Mason's Minnesota Statutes of 1927, Section 2793, as amended by Chapter 427, Laws of 1937, be and the same is hereby amended to read as follows:

"2793. (a) The annual meeting of all common school districts shall be held on the *last Tuesday in June* at 8:00 o'clock p. m., unless a different hour has been fixed at the preceding annual meeting upon ten days' posted notice given by the clerk, and specifying the matters to come before such meeting; but failure of the clerk to give such notice, or to specify the business to be transacted thereat, shall not affect the valid-

ity of any business, except the raising of money to build or purchase a schoolhouse, the authorizing of an issue of bonds, the fixing of a schoolhouse site, or the organization as an independent district. The board of education or trustees in special school districts may fix the time of the annual meeting, when so authorized by vote of the district: Provided, that the polls at all school meetings shall be held open at least one hour.

(b) The annual meeting or election of an independent school district shall be held on the last Tuesday in June and shall be called and conducted in the same manner as prescribed in subsection (a) above except as hereinafter provided.

*In districts maintaining graded elementary and high schools, the annual meeting or election shall be held on the third Tuesday in May.*

*In any independent school district which maintains two or more schools the school board may, and upon a majority vote of the electors shall, provide for more than one polling place and in such districts the annual school meeting or election shall be conducted as follows:*

(1) Ten days' posted notice shall be given by the clerk specifying the matters to be voted upon at such annual meeting or election and setting forth the polling places established by the board and describing the voting precincts. The clerk shall prepare, or cause to be prepared, ballots, and shall arrange for voting booths at such places as the school board shall previously have determined.

(2) The school board shall, at least thirty days before the date of the annual meeting or election, determine the number of voting precincts and the polling places where such voting shall be conducted and the hours the polls will be open. It shall choose, or cause to be chosen, three election judges for each polling place, which judges shall also act as clerks of election, and shall canvass the ballots cast, and thereafter submit the same to the school board, which board shall be in session at the time and shall receive such ballots.

(3) The school board may pay such judges an amount not to exceed fifty cents per hour for the time actually served by them in the performance of their duties as judges of election.

(4) The polls shall be opened for at least one hour, and the school board shall have the power to extend such time not to exceed twelve hours.

(5) *In such districts one polling place may be designated by the school board as the place for the annual meeting: Provided, that by a majority vote at any annual or special meeting when proper notice has been given, the annual meeting in such districts may be discontinued, substituting therefor an annual election."*

**Sec. 2. Same.**—That Mason's Minnesota Statutes of 1927, Section 2793-1, be and the same is hereby amended to read as follows:

"2793-1. In any school district in this state whether organized under a general or a special law, where the annual meeting is required by law to be held on the first Monday of September in each year, the time of such annual meeting is hereby changed to the *last Tuesday of June* in each year commencing with the *last Tuesday of June, 1939.*"

**Sec. 3. Election of officers.—Terms.**—That Mason's Minnesota Statutes of 1927, Section 2802, be and the same is hereby amended to read as follows:

"2802. In all common school districts in Minnesota embracing or containing ten or more townships, the trustees and members of the school board shall be elected as follows: In all such districts existing at the date of the passage of this act, the trustees and members of the school board shall continue to hold their respective offices, as follows: The chairman until *July 1* following the next biennial general state election; the treasurer until one year from such date, and the clerk until two years from such date. If said terms of office or either of them so existing at the date of the passage of this act shall expire prior to said dates, that is, shall expire prior to *July 1* following the next biennial general state election, and one year from said date, and two years from said date, as above stated, then and in that event the expiration of such terms shall constitute a vacancy, and such vacancy shall be filled as provided by Sections 2811 and 2812 of *Mason's Minnesota Statutes of 1927*, as amended hereby. At the first meeting of each newly created or organized district hereafter created or organized, containing ten or more townships, the chairman shall be elected to hold office until *July 1* following the next biennial general state election, the treasurer until one year from said date, and the clerk until two years from said date. At the first biennial general state election held after the passage of this act in common school districts embracing or containing ten or more

townships and at the first biennial general state election held after the organization of each new district embracing or containing ten or more townships, and in each biennial general state election thereafter, there shall be elected two members of said board, such members being elected to fill the offices expiring respectively *July 1* after such election and one year from *July 1* after such election, the term of office of one to commence *July 1* in the year following his election, and that of the other *July 1* in the second year following his election. The office to which each is so elected and the time of the commencement of the term of each, with the length of term, shall be stated on the ballot. For the purpose of carrying into effect this act, and so as to enable the electors in each of such districts embracing or containing ten or more townships to elect officers at such biennial general state election, the general election laws of this state, including the primary election law, shall, so far as possible, be applicable hereto, and the candidates for said offices shall file for nomination and be chosen and nominated and their names placed upon the ballot, under and pursuant to the provisions of said general election law and the primary election law in this state, and such general election law and primary election law shall be made applicable hereto and carried out by the officers and persons having the performance and enforcement thereof, except that a separate ballot box shall be used and voters need not register. The votes shall be returned and canvassed and the persons elected notified in the same manner as in the election of county officers."

**Sec. 4. Composition of school board of common school.**—That Mason's Minnesota Statutes of 1927, Section 2805, be and the same is hereby amended to read as follows:

"2805. The school board of each common school district shall consist of a chairman, a treasurer and a clerk. At the first meeting of each school district embracing or containing less than ten townships, the chairman shall be elected to hold office until *July 1* following the next annual meeting; the treasurer until one year from such date, and the clerk until two years from such date. At the first meeting in each common school district embracing or containing ten or more townships, the chairman shall be elected to hold office until *July 1* following the next biennial general state election, and the treasurer until one year from such date, and the clerk until two years from such date. Said trustees so elected in districts embracing or containing ten or more townships shall be paid such salary or compensation as the electors or legal voters of

such district at the annual meeting thereof shall fix or determine, and the electors or legal voters of such district at the annual meeting thereof shall have power and are hereby authorized, by a majority vote, to fix and determine and authorize the payment of salaries or compensation to said trustees. The vote upon the payment of such salaries or compensation shall be by ballot."

**Sec. 5. Same—Independent school districts.**—That Mason's Minnesota Statutes of 1927, Section 2806, be and the same is hereby amended to read as follows:

"2806. The school board of each independent school district shall consist of six directors. At the first meeting of the district, six directors shall be elected, two to hold until *July 1* following the next annual meeting, and two to hold until the expiration of one year, and two until the expiration of two years, from said *July 1*, the time which each director shall hold being designated on the ballot."

**Sec. 6. Organization of board.**—That Mason's Minnesota Statutes of 1927, Section 2807, be and the same is hereby amended to read as follows:

"2807. Within ten days after the election of the first school board in independent districts, and annually thereafter on the first Saturday in *July*, or as soon thereafter as practicable, the board shall meet and organize by choosing a chairman, a clerk, and treasurer, who shall hold their offices for one year, and until their successors are elected and qualified. They may also elect a superintendent *who* shall be ex-officio a member of the board, but not entitled to vote therein."

**Sec. 7. Duties of Clerk—Reports.**—That Mason's Minnesota Statutes of 1927, Section 2832, be and the same is hereby amended to read as follows:

"2832. The clerk shall keep in books provided for that purpose a record of all meetings of the district and the board. He shall, within three days after the meeting, notify all persons elected upon any school board or as officers of any district of their election, and, on or before *July 10* in each year, make and transmit to the county superintendent a certified report, showing:

1. The condition and value of school property.
2. The receipts and disbursements in detail, and such oth-

er financial matters as may be called for by the state *commissioner of education*.

3. The annual arrangement of terms of school, and the grading, if any, thereof.

4. The names and postoffice addresses of all trustees and other officers.

5. Such other items of information as may be called for by the state *commissioner of education*.

He shall enter in his record book copies of all his reports and of the teachers' term reports, as they appear in the registers, and of the proceedings of any meeting as furnished him by the clerk pro tem., and shall keep an itemized account of all the expenses of the district; and in common districts he shall report to the county superintendent the time of commencement of each term at least two weeks in advance. He shall furnish to the county auditor or auditors of the proper county or counties, on or before October 10 of each year, an attested copy of his record, showing the amount of money voted by the district or the board for school purposes; shall draw and sign all orders upon the treasurer for the payment of money for bills allowed by the board for salaries of officers or for teachers' wages, to be countersigned by the chairman. Such orders shall state the consideration, payee, and fund, and the clerk shall take a receipt therefor. Teachers' wages shall have preference in the order in which they become due, and no money applicable for teachers' wages from the current school fund shall be used for any other purpose, nor shall teachers' wages be paid from any fund except that raised or apportioned for that purpose."

**Sec. 8. Organization of board in certain districts.**—That Laws of 1937, Chapter 221, Section 1, be and the same is hereby amended to read as follows:

"Section 1. In each Common School District in the State, now or hereafter, containing ten (10) or more townships and less than ten (10) schools, the school board shall consist of five (5) directors to be elected in the manner and for the term hereafter provided, and to hold office until their successors are elected and qualify.

The annual meeting of each such district for the election of directors, and the transaction of other lawful business, shall

be held at the time and in the manner provided by law for Independent Districts. At the annual meeting to be held in July, 1937, there shall be elected two (2) directors to fill the offices of directors expiring on August 1, 1937. At the annual meeting held in July, 1938, two (2) directors shall be elected to fill offices of directors expiring on August 1, 1938. *The annual meeting in 1939 and all annual meetings thereafter shall be held on the last Tuesday in June.* At the annual meeting held in June, 1939, one (1) director shall be elected to fill the office of the director expiring on July 1, 1939. Each such director as above set forth shall be elected for a three (3) year term. And annually thereafter at each annual meeting, one or two directors, as the case may be, shall be elected to succeed those whose terms are expiring on July 1 next following such meeting, and to serve for three (3) years. Provided, that directors now holding office shall hold office until the expiration of the terms for which they were heretofore elected *but not longer than until July 1 of the year in which their terms expire."*

Sec. 9. **Inconsistent acts repealed.**—All other acts and portions of acts inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency.

Approved March 17, 1939.

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## CHAPTER 63—S. F. No. 409

*An act providing for the distribution by cities of the first class maintaining their own schools or school districts covering the territory of any such city of money received from income taxes.*

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

**Section 1. Distribution of income taxes in certain school districts.**—That all money received by any city of the first class maintaining its own schools or any school district or districts covering the territory of any such city, on distribution by the State of Minnesota of money derived from payment of income taxes, may be used for current maintenance and operating expenses during the years 1939 and 1940 to the extent required by the governing body charged by law with the control and maintenance of such schools.