

of fixing the salaries, or maximum salaries, or *mileage*, of any of their officers.

Subd. 3. **Compensation of village assessor in Hennepin County.** The village assessor shall be entitled to compensation at the rate of \$6.00 per day for each day's service necessarily rendered, not exceeding 90 days, and mileage at the rate of five cents per mile for each mile necessarily traveled in going to and returning from the county-seat of the county to attend any meeting of the assessors of the county which may be legally called by the county auditor, and also for each mile necessarily traveled in making his return of assessment to the proper county officers; provided that the compensation of the village assessor may be fixed by the governing board of such village at a sum of not to exceed \$500.00 and not less than \$100.00 in any one year. In addition to the per diem or compensation fixed on an annual basis, the governing board of the village is authorized in its discretion to allow the village assessor mileage at the rate of five cents per mile for each mile necessarily traveled in his assessment work. *This subdivision shall not apply to any county having not less than 450,000 inhabitants and an assessed valuation, including money and credits, of more than \$450,000,000.*

Approved April 19, 1947.

CHAPTER 421—H. F. No. 1125

[Coded as Sections 122.40 to 122.54]

An act to provide a survey for reorganization of school districts and appropriating money therefor.

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

[122.40] **Survey for reorganization of school districts.**

Section 1. Subdivision 1. **Definitions.** For the purposes of this chapter, unless a different meaning is indicated by the context, the words, terms, and phrases defined in this section shall have the meanings given them:

Subd. 2. "Committee" means the school survey committee hereinafter authorized to be created in all counties of the state.

Subd. 3. "State Commission" means the state advisory commission on school reorganization herein created.

Subd. 4. "Rural School District" means a school district which maintains an upgraded elementary school as defined in Minnesota Statutes, Section 131.01, subdivision 2, (2).

Subd. 5. "Urban School District" means a school district which maintains a graded elementary or secondary school as defined in Minnesota Statutes, Section 131.01, subdivision 2, (1), (3), (4), (5), (6), (7), and (8).

[122.41] **Membership; term.** Sec. 2. 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. Members of the committee shall hold their office for a term beginning on the date of their election and expiring nine months after the committee's final report is filed with the county superintendent as hereinafter provided.

In case of any vacancy on the committee, the remaining members shall select some qualified person to fill the vacancy.

[122.42] **Meetings of school boards.** Sec. 3. Not later than December 1, 1947, the county superintendent of each county shall hold a public meeting of all members of school boards within such county. In case a school district lies in more than one county the school board members of such district shall attend the meeting in the county in which the school building or buildings thereof are situated; provided that in case the buildings of any such district are situated in more than one county then the school board members in such district shall attend the meeting in the county in which the major portion of the area of such district is located. The county superintendent shall give notice of the time, place and purpose of such meeting at least ten days prior thereto by publication in one or more newspapers having general circulation in the county and by mail addressed to each school board member in the county.

At such meeting the county superintendent shall have the provisions of this act explained, and shall afford an opportunity for discussion of the question whether or not a school survey committee shall be established in the county in accordance herewith.

The county superintendent, at such meeting or an adjourned meeting of the school board members of the county,

held not later than December 15, 1947, shall submit the question of the establishment of a 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 and shall appoint a chairman and a secretary for each group. One group shall consist of all the school board members of the county from rural school districts and the other group shall consist of all the school board members of the county from urban school districts. A meeting of the members of each such group may be held immediately following the adjournment of the joint county wide meeting or the county superintendent may fix the time and place for, and call, a meeting of the members of each such group for some certain day not more than thirty days thereafter, and in such case the county superintendent shall give at least five days' written notice thereof.

Each county superintendent shall notify the commissioner of education not later than December 20, 1947, as to whether or not a school survey committee is to be established for his county.

[122.43] **Election of committee.** Sec. 4. At the meeting of the rural members not less than five persons shall be elected to the committee, one committeeman from each commissioner district not exclusively urban. If any commissioner district is exclusively urban, no committeeman residing therein shall be elected by the rural members but they shall then elect a committeeman at large in lieu thereof. The urban members shall at their meeting elect four committeemen of whom not more than one shall reside in a single high school district unless there shall be less than four high school districts in the county, when not more than two shall be from a single high school district. Such nine committeemen shall constitute the committee. None of the members of the school survey committee shall be persons who are professionally engaged in education or who are employees of any school district. Subject always to the limitations and qualifications above stated, nominations for members of the committee may be made from the floor by any school board member in the respective groups. Twenty-five per cent of the school board members in each group shall constitute a quorum at any meeting and a majority of those present at any meeting shall control the action and proceedings of the group. Election of members of the committee shall be by secret ballot. A majority vote shall be necessary to elect. Where necessary to cast a second or more ballots for any specific membership

for said committee, the person receiving the lowest vote on any announced ballot shall be removed from the succeeding ballot, until election has resulted. The persons so elected shall be certified by the chairman and secretary of the group to the county superintendent.

[122.44] **One vote for each district.** Sec. 5. Each school district shall have one vote for each member of the committee to be elected. Voting by proxy shall not be allowed. In the event a quorum of either group should not be present at the time and place fixed by the county superintendent for the first meeting of the school board members, the meeting of that group shall be adjourned to a date not more than 10 days later and the county superintendent shall give each of the school board members notice of the time and place of the meeting.

[122.45] **Organization of committee.** Sec. 6. Within ten days after the election of members of the school survey committee in any county the committee shall meet at the call of the county superintendent at a time and place within the county fixed by the county superintendent. At such meeting the committee shall organize and shall elect one of its members as chairman and another of its members as vice-chairman. The county superintendent, ex-officio, shall serve as executive secretary of said committee. Members of the committee shall serve without compensation but shall be reimbursed to the extent moneys are available, from the fund hereinafter provided, for their actual expenses incurred in the discharge of their duties as members of the committee. The county superintendent shall provide clerical assistance and supplies and other facilities for the committee to the extent that the same are available in his office and necessary expenditures for additional clerical assistance and supplies and facilities for the committee may be paid from the fund hereinafter provided.

The committee shall meet regularly on a day and at a time and place to be fixed by the committee. Special meetings of the committee may be called by the chairman and shall be called by the executive secretary upon request in writing signed by three members of the committee. A majority of the members of the committee shall constitute a quorum for the transaction of business. Any committee, if it so desires, may set up an advisory group consisting of one member from each township to assist the committee.

[122.46] **Duties of committee.** Sec. 7. 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.

[122.47] **Tentative report of committee; hearings. Sec. 8.** Prior to September 1, 1948, the committee shall prepare a tentative report with recommendations and shall file the same in the office of the county superintendent of school and furnish a copy thereof to each member of a school board in the county. Ten 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 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 this office, and shall fix the time or times not less than thirty 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, establishment or change in the boundaries of the district as the same appear to the committee. Any resident of the county or of any affected district may be heard with reference to the reorganization, establishment or changes in the boundaries of any such district.

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.

[122.48] **Final report of committee.** Sec. 9. 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. On or before November 1, 1948, the final report of the committee with recommendations and with a map or maps showing the boundaries of the present school district in the county and the boundaries of the proposed school districts in the county shall be filed with the county superintendent. Ten 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.

[122.49] **State commission membership; selection.** Sec. 10. The state advisory commission on school reorganization is hereby created, consisting of nine members appointed by the state board of education. 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. Members of such commission shall hold office until January 1, 1953, at which time the commission shall terminate. 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 reimbursed for their necessary expenses incurred in attending meetings of the commission or while engaged in work authorized by the commission.

[122.50] **Duties of state commission.** Sec. 11. The state commission shall assist the commissioner of education in

formulating the aims, goals, principles and procedures of public school reorganization in Minnesota. The commissioner of education with the assistance and advice of said commission shall prepare a manual setting forth principles and procedures for the use of the county school survey committees in performing their duties. Such commission shall review the tentative reports of the several county school survey committees and make such suggestions to the respective committees concerning their reports as may seem appropriate, giving due consideration to the educational needs of local communities, to economical transportation and administration, to the future use of existing satisfactory school buildings and sites, to the convenience and welfare of pupils, to the ability of the several communities to support adequate schools, to equalization of educational opportunity and to any other matters which in their judgment seem to be advisable. In the employment of personnel to work with the several committees and in the allocation of state funds for work in the several counties, the commissioner of education shall advise with and consult the commission.

Said commission shall file a report of its activities and recommendations concerning school reorganization with the legislature at each regular session thereof, during the life of said commission.

[122.51] **Duties of commissioner of education; territory in more than one county.** Sec. 12. To the extent that he has available personnel and facilities the commissioner of education shall, upon request, assist the school survey committees in the respective counties in the discharge of their duties and provide them with information. He shall endeavor to inform the county school survey committees concerning the recommendations and suggestions of the state commission.

The school survey committees of the several counties in which such committees are created shall cooperate and work with the school survey committees of adjoining counties, particularly for the purpose of considering districts which include territory in more than one county.

[122.52] **Elections on reorganization.** Sec. 13. In the event the final report of any committee recommends the reorganization, establishment or change in the boundaries of any school district, then the question of reorganizing, establishing or changing the boundaries of any such school district, as recommended by the committee, shall be submitted to the legal voters residing in the proposed district or in the

territory affected 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 nine months after the final report of the committee was filed with the county superintendent. 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 shall not be required, and the entire area of such proposed district or territory shall vote as a unit; provided, that if any city, village or incorporated town maintaining a graded elementary or high school, or both or having a population of 500 inhabitants or more, is located within any such proposed district or territory, then one or more voting precincts shall be established wholly within the corporate limits of such city, village or incorporated town and one or more voting precincts shall be established wholly within that part of the district or territory lying outside the corporate limits of such city, village or incorporated town and the proposition to reorganize, establish or change the boundaries of any 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 corporate limits and a majority of the votes cast in such territory outside of such corporate limits, the count to be taken separately, each are in favor of establishing such school district. Any proceedings in such district or territory shall be in accordance with the applicable provisions of Minnesota Statutes, sections 122.23 to 122.27 inclusive.

[122.53] Assets and liabilities. Sec. 14. When two or more existing districts are united by proceedings herein authorized, Minnesota Statutes, section 122.16, subdivisions 5 and 6, and sections 122.17 and 122.18 shall apply.

[122.54] Appropriations for state commission; county board to defray expense of committee. Sec. 15. The sum of \$25,000 for the fiscal year ending June 30, 1948, and the sum of \$25,000 for the fiscal year ending June 30, 1949, or so much thereof as may be necessary during either of said fiscal years is hereby appropriated out of the general revenue fund, not otherwise appropriated, to the state department of education for the purpose of carrying out the provisions of this act and defraying the expenses of the state advisory commission on school reorganization.

The county board shall, and is hereby authorized to levy sufficient taxes in excess of any existing limitations to defray

the necessary expenses incurred under the provisions of this act by the county superintendent and the county survey committee including travel expenses, sustenance or clerical assistance, forms, reports, publications and other expense in connection with the conduct of the survey.

Approved April 19, 1947.

CHAPTER 422—H. F. No. 1169
[Coded as Sections 282.031 to 282.037]

An act authorizing the sale of tax-forfeited lands to veterans of World War II and prescribing conditions of such purchase.

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

[282.031] **Section 1. Purchase of agricultural land by veterans of World War II.** A veteran of World War II who is desirous of securing land for agricultural development may at any time prior to June 30, 1949, make application to the county board of the county in which the land is located to purchase not to exceed 160 acres of tax-forfeited land which has been classified as non-conservation or agricultural land and appraised as provided by law. Such land must be situated along a suitably maintained public road and near a public school or bus route and not in a restricted area established by the county board under a zoning ordinance. With his application he shall file a certified copy of his honorable discharge. Such application shall state the legal description of the land desired, the total acreage and the total acreage thereof which has been under cultivation; that the land is suitable for agricultural purposes and that he intends to develop it as such; that no additional public expenditures need be made for roads or schools by reason of the occupancy of such land; and that he is willing to pay therefor the appraised value of the land plus the appraised value of the improvements and standing timber thereon as determined by the county board, on such terms as may be fixed by the board subject to the conditions set forth in Section 3 hereof.

[282.032] **Sec. 2. Application to county board; hearing; terms of payment.** Upon receipt of such application the county board shall set a date for hearing thereon. If on such hearing the board finds that the land described in the application