

(f) For crippled children not to exceed \$75 for each such child attending special classes for crippled children in summer school.

(g) For mentally retarded children who have multiple handicap the aid may be paid on the basis of crippled, blind or deaf under regulations established by the State Board of Education.

The per pupil allowance shall be paid for each such child who has been in attendance in special classes or receiving instruction in the home or in a hospital or sanatorium for the full nine months, or a proportionate amount for each child for such time as he has been in attendance upon special classes or receiving instruction in the home or in a hospital or sanatorium.

Under such rules as the state board of education may prescribe, a portion of the above funds may be expended for transportation, teachers salaries, special supervision, special instruction, special materials and equipment.

The amount of aid for any special class or for instruction in the home or in a hospital or sanatorium for handicapped children shall not exceed the amount expended for such class or instruction during the year for which the aid is paid.

The board of education receiving such aid shall render annually to the state commissioner of education an itemized statement of all expenditures of said school or schools, and such related facts as he may require.

Approved April 23, 1951.

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#### CHAPTER 706—S. F. No. 1505

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*An act relating to school districts and the organization, reorganization, consolidation and dissolution thereof; amending Minnesota Statutes 1949, Sections 122.19, 122.20, 122.21, 122.22, 122.26, 122.28, 122.52 and 122.55, Subdivisions 2 and 4, and adding new Subdivisions 5 and 6.*

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

Section 1. Minnesota Statutes 1949, Section 122.19, is amended to read:

**122.19. Approval of plat.** A consolidated district established after June 30, 1941, must contain not less than 24 sections of land, except in cases where 24 sections are not available, in which case the commissioner of education may approve a consolidation of a fewer number of sections, but not less than 18 sections. Before any steps are taken to organize a consolidated school district, the superintendent of the county in which the major portion of territory is situated, from which it is proposed to form a consolidated school district, shall cause a plat to be made showing the size and boundaries of the proposed district, the location of schoolhouses in the several districts, the location of other adjoining school districts and of schoolhouses therein, and the assessed valuation of property in the proposed district, together with such other information as may be required, and submit the same to the state commissioner of education, who shall approve, modify or reject the plan so proposed, and certify his conclusions to the county superintendent of schools.

Sec. 2. Minnesota Statutes 1949, Section 122.20, is amended to read:

**122.20. Petition for consolidation.** After approval by the commissioner of education of the plan for the formation of a consolidated school district, an election on consolidation shall be held upon presentation to the county superintendent of a petition *or petitions* asking for the formation of a consolidated school district in accordance with the *plan* approved by the commissioner of education, signed and acknowledged by at least 25 per cent of the resident free holders of each school district *all of the territory of which is included in the proposed consolidated school district and which district is maintaining only an ungraded elementary school or schools and of each portion of a school district so included which is taken from a school district which is maintaining only an ungraded elementary school or schools*, who are qualified to vote at school meetings or elections and who have been such freeholders for at least 30 days immediately preceding the signing and acknowledging of the petition.

*If the territory of the proposed consolidated school dis-*

trict lies in two or more counties, the petition or petitions shall be presented to the county superintendent of the county in which the greater portion of such proposed consolidated school district lies.

*If the territory of any district or districts maintaining a graded elementary or secondary school or schools, or both, or any part of any such territory, is included in the proposed consolidated school districts, no such election shall be called unless and until the board of each such district or districts shall have adopted a resolution in favor of such consolidation and a copy thereof, certified by the clerk, has been filed with the county superintendent. Such resolution may be conditioned upon the districts or parts of districts included in the proposed consolidation assuming their proportionate share of its bonded indebtedness. If so conditioned, the question of assuming such indebtedness shall be submitted at such elections separate from, but at the same time as the question of consolidation, and the results thereof be reported with the report of the vote on consolidation.*

Sec. 3. Minnesota Statutes 1949, Section 122.21, is amended to read:

**122.21. Consolidation; notice, election.** *Subdivision 1. Upon an election becoming callable under the provisions of Section 122.20, said county superintendent shall, within ten days thereafter, cause ten days' posted notice to be given in each district, or portion of district, maintaining only ungraded elementary schools, which is included in the proposed consolidated district, and such notice shall be published once, at least ten days prior to the date of such meeting or election, in a newspaper, whether it be a legal newspaper or not, if there be one published in said proposed consolidated school district, of a special meeting or election to be held within the proposed consolidated school district at a time and place specified in such notice, to vote upon the question of consolidation.*

*Subd. 2. Ballot. (1) Said county superintendent shall act as temporary chairman and preside at such meeting until the electors shall have elected a chairman and clerk from their number, who shall be the officers of the meeting. The chairman shall appoint two tellers, and the meeting or election shall be conducted as are annual meetings or elections. The vote at such meeting or election shall be by ballot, which shall read "For Consolidation" and "Against*

Consolidation," with appropriate space after each for the electors to indicate their wishes.

(2) When the petition as provided in Section 122.20 specifies that the question of maintaining only an elementary school within the proposed consolidated district shall be submitted to the voters, then, the ballot furnished shall be in approximately the following form:

*For consolidation of districts to maintain only elementary school* .....

*Against consolidation of districts to maintain only an elementary school* .....

**Subd. 3. Result certified.** The officers at such meeting or election shall within ten days thereafter certify the result of the vote to said county superintendent and deliver to him for safe-keeping all ballots cast, in a sealed container.

**Subd. 4. Approval.** In the case of consolidation of one or more districts, or parts of districts, maintaining only ungraded elementary schools, with a school district or districts in which there is maintained a graded elementary or secondary school or schools, election on consolidation shall be effected by a favorable vote of the school districts or portions of districts maintaining only ungraded elementary schools, in the manner provided by this section, and by the approval of such consolidation by the school board of the district or districts in which is maintained a graded elementary or secondary school or schools, or both. Such approval shall be by resolution, and a certified copy thereof shall be filed with said county superintendent.

**Subd. 5. Plat; submission, approval.** Upon the submission of a plat and its approval by the state commissioner of education, any portion of an unorganized territory of a county may be consolidated with an existing district in which is maintained a graded elementary or secondary school or schools or both by a vote of the board of education for unorganized territory in the county in which is located such unorganized territory and by the approval of such consolidation by the school board of the district in which is maintained a graded elementary or secondary school or schools or both.

*Subd. 6. Appeals.* After the formation of any consolidated school district, appeal may be taken as now provided by law in connection with the formation of other school districts.

Sec. 4. Minnesota Statutes 1949, Section 122.22, is amended to read:

122.22. **Order of consolidation.** If a majority of the votes cast at the election held pursuant to Section 122.21 be for consolidation, said county superintendent, within ten days after receiving the certificate of the results of such election, shall make a proper order to give effect to such vote and shall forthwith transmit a copy of such order 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; provided that, in the case of consolidation of one or more districts, or parts of districts, maintaining only an ungraded elementary school or schools with a school district or districts maintaining a graded elementary or secondary school or schools, or both, no such order shall be made unless and until a certified copy of a resolution, adopted by the school board of the district maintaining such graded elementary or secondary school or schools, or both, favoring consolidation has been filed with said county superintendent. If the certified copy of the resolution filed with said county superintendent under Minnesota Statutes, Section 122.20, is conditioned upon the assumption of a proportionate share of the bonded indebtedness and the election for such assuming has failed, then such order shall not be made unless and until such district or districts shall adopt and file another resolution favoring such consolidation without condition. The order shall specify the number assigned to such consolidated districts, determined as provided in Section 122.01.

Sec. 5. Minnesota Statutes 1949, Section 122.26, is amended to read:

122.26. **Bonded indebtedness, transfer of liability.** Nothing in sections 122.18 to 122.27 shall be construed to transfer the liability of existing bonded indebtedness from the district or territory against which it was originally incurred, but in effecting consolidation, other territory may assume its proportionate share thereof as provided in sections 122.20 and 122.21.

(1) When a district or part of a district consolidates with a district which has incurred a bonded debt for the construction of buildings and purchase of equipment, such new territory shall become liable for its proportionate share of such indebtedness upon a majority vote of the electors of such new territory voting upon the question at a special election called at the request of *the school board of the district which has incurred such bonded debt*. The result of such election shall be *shown by a return* filed with the county auditor.

(2) When a school district or part of a school district not located in an incorporated city or village shall become a part of a consolidated district and is bonded for the erection of a school building, the proceeds from the sale of the building and site, if sold, shall be applied on the payment of the bonds.

(3) The voters of a consolidated district, may, after its formation, by a majority vote take over and assume liability for the payment of the bonded debt of each district, or part of a district, entering into the consolidation except the bonded debt of any district containing in whole or in part an incorporated city or village. The clerk of the consolidated district shall, in case such bond assumption vote carries, give proper notice thereof to the auditor of each county in which any part of such consolidated district is situated.

Sec. 6. Minnesota Statutes 1949, Section 122.28, is amended to read:

**122.28. Dissolution of district. Subdivision 1. When no school held.** Any district in which for two years no school has been held and no provision made by it for the education of its pupils may be dissolved by the board of county commissioners on its own motion; or such district, or any other district, may be dissolved by the board of county commissioners on a petition signed by a majority of the resident freeholders of the district *who are entitled to vote at school elections therein*, or on presentation of resolutions passed by a majority vote at a legal meeting of the electors of the district. The territory of a district so dissolved shall be attached by order of the board to one or more existing districts, or to unorganized territory, upon notice as in other cases of changes of boundaries, as in its judgment shall seem most equitable having

regard to the convenience of the inhabitants. If there be no unorganized territory in the county, the board may, by such dissolution, create unorganized territory to be governed by the laws relating to such territory. *If the district or any part thereof is to be annexed to an adjoining district which lies in a different county, such annexation shall not be effective until such petition or resolution 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.*

**Subd. 2. Annexation to another district.** *When a school district is to be dissolved by the board of county commissioners and it is proposed to attach the entire district or a portion of such district to a district which has incurred a bonded debt for the construction of buildings and purchase of equipment, such dissolved district shall become liable for its proportionate share of such indebtedness upon a majority vote of the electors of such new territory voting upon the question at a special election called at the request of the school board of the district which has incurred such bonded debt and the election held prior to the date of the hearing to be conducted by the board of county commissioners on the dissolution of the district.*

**Sec. 7. Minnesota Statutes 1949, Section 122.52, is amended to read:**

**122.52. Reorganization. Subdivision 1. Election required.** 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 prior to April 1, 1953, by the county superintendent of the county in which such district or territory, or the major portion thereof is located. 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 meet-

ing 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 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 district maintaining a graded elementary or *secondary* school, or both is 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 district 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 district 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 district and a majority of the votes cast in such territory outside of such urban school district, the count to be taken separately, each are in favor of establishing such school district.

**Subd. 2. Procedure for election.** 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 election shall be held in the school building of the school district 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 who shall be school board members if available for each polling place, which 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. Calling 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, the county superintendent, with the approval of the county survey committee, may call another election in any proposed district at which time the same recommendation



or a revised recommendation, approved by the state advisory commission, shall be submitted to the voters. Such election shall be conducted in accordance with the provisions of sections 122.40 to 122.57.

**Subd. 4. Order of dissolution.** 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.

Sec. 8. Minnesota Statutes 1949, Section 122.55, is amended to read:

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

Subd. 4. 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. 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. 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. These provisions shall apply also to the school boards of districts which have been enlarged by additional territory through consolidation or dissolution-annexation procedures.*

Approved April 23, 1951.

# CHAPTER 707—S. F. No. 1511

[Not Coded]

*An act creating a county legislative research committee in certain counties, prescribing its powers and duties, and providing for the method of financing its expenses.*

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

Section 1. *[Hempin]* ~~St. Louis County~~; legislative research committee. *[Hempin county]* ~~In any county now or hereafter having a population of 100,000 and not more than 300,000;~~ there is hereby created a Legislative Research Committee. The committee shall consist of eight members. *[Hempin county]* ~~Three members shall be senators and three members shall be representatives in the state legislature from such counties to be chosen before the close of each regular session of the legislature to serve until the opening day of the next succeeding regular session of the legislature and until their successors are chosen. Such senators and representatives shall be elected by the delegation in the Senate and House of Representatives from such counties. Two members shall be elected by the committee from the public at large. Any vacancy in membership of such committee shall be filled in the same manner as the election originally made for the vacant position.~~

Sec. 2. *[Hempin]* **[Powers, duties.]** The committee shall have the power and right to investigate and study, accumulate, compile, analyze and report on information concerning policies, plans, programs and procedures relating to or affecting the fiscal and legislative needs of said county and the governmental or political subdivisions therein, including school districts and any metropolitan or district authority having jurisdiction in any