

Sec. 81. [176.411] **Accidents or injuries arising prior to effective date.** All rights and liabilities arising on account of accidents or injuries occurring prior to the taking effect of this chapter shall be governed by the then existing law.

Sec. 82. [176.415] **Invalidity of provisions, effect.** In case for any reason any paragraph or any provision of this chapter shall be questioned in any court of last resort, and shall be held by such court to be unconstitutional or invalid, the same shall not be held to affect any other paragraph or provision thereof.

Sec. 83. Minnesota Statutes 1949, Sections 176.01 to 176.12, 176.14 to 176.25, 176.255, 176.26 to 176.65, 176.67 to 176.79, 176.81; and Laws 1951, Chapters 457 and 463, are hereby repealed.

Sec. 84. This act shall take effect July 1, 1953.

Approved April 24, 1953.

CHAPTER 756—S. F. No. 1631

An act relating to state aid for schools, providing tuition and transportation for pupils and revenue therefor; amending Minnesota Statutes 1949, Section 128.07, Subdivisions 1, 3 and 5 as amended; Section 128.081, Subdivision 3 as amended; Section 128.082, as amended; Section 128.085, Section 128.088, Subdivision 4 as amended, Section 128.13, as amended.

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

Section 1. Minnesota Statutes 1949, Section 128.07, Subdivision 1, as amended by Laws 1951, Chapter 705, Section 1, is amended to read:

128.07 Transportation aid. Subdivision 1. **Consolidated districts.** To receive state aid for transportation, consolidated districts must contain not less than 12 sections of land and schools in such districts shall be in session at least nine months in the year and be well organized. They shall have suitable school buses with the necessary rooms and equipment. For transportation or board of resident pupils in consolidated school district, the state shall reimburse such districts at rates to be determined by the state board of education; provided, that no consolidated school district shall receive annually more than an average of \$60 per pupil *per year* transported or boarded, and provided further that such reimbursement shall not exceed 80 percent of the total cost thereof.

Sec. 2. Minnesota Statutes 1949, Section 128.07, Subdivision 3, is amended to read:

Subd. 3. For assisting in providing for the school attendance of isolated pupils, the state board of education, may assist school districts or the county board of education for unorganized territory in any county in providing for the transportation or board of such *isolated pupils*. To this end, the state board may grant to such school districts not to exceed \$72 annually for each such pupil transported or boarded. *Such reimbursement shall not exceed 80 per cent of the total cost thereof provided this limitation does not apply to the county boards of education for unorganized territory.*

Sec. 3. Minnesota Statutes 1949, Section 128.07, Subdivision 5, as amended by Laws 1951, Chapter 705, Section 1, is amended to read:

Subd. 5. **Attendance, secondary school in another district, reimbursement.** In a school district without a secondary school, resident pupils may attend a classified secondary school in another district and shall receive board and lodging in or transportation to a district having a classified secondary school at the expense of the school district of pupil's residence. The county shall reimburse the school district not to exceed one and one-half times the amount of state aid. The county may pay the reasonable cost of such board and lodging or transportation in excess thereof. The state will reimburse the county therefor not to exceed \$48 per pupil per year. This subdivision applies to all districts which do not maintain senior high schools, to the unorganized territory of any county, to county districts, and to ten or more township districts where pupils are transported to or boarded at high schools in other districts, *except it shall not apply to seventh and eighth grade pupils in a district which maintains an ungraded or graded elementary school unless approved by the school board of said district.*

Sec. 4. Minnesota Statutes 1949, Section 128.081, Subdivision 3, as amended by Laws 1951, Chapter 705, Section 3, is amended to read:

Subd. 3. **Basic aids.** Basic aid is the sum required to be paid to a school district which, when added to the sum paid to the district as apportionment shall total a sum equal to \$56 multiplied by the total number of pupil units of the district, provided, however, that for each year of the biennium beginning July 1, 1953, only, such aggregate sum shall be \$80 multiplied by the total number of pupil units of the district.

Sec. 5. Minnesota Statutes 1949, Section 128.082, as amended by Laws 1951, Chapter 705, Section 4, is amended to read:

128.082 Equalization aid schedule. Subdivision 1. When the assessed valuation of all taxable property of a district is less than \$2,300 for every resident pupil unit in average daily attendance of the district, the state shall pay equalization aid for each resident pupil unit in average daily attendance in accordance with the following schedule:

Assessed Value of District Per Resident Pupil Unit in Average Daily Attendance	Equalization Aid Per Resident Pupil Unit in Aver- age Daily Attendance
\$2,300 or over	\$00.00
2,200 to 2,300	2.00
2,100 to 2,200	4.00
2,000 to 2,100	7.00
1,900 to 2,000	10.25
1,800 to 1,900	13.50
1,700 to 1,800	16.75
1,600 to 1,700	20.00
1,500 to 1,600	23.25
1,400 to 1,500	26.50
1,300 to 1,400	29.75
1,200 to 1,300	33.00
1,100 to 1,200	36.25
1,000 to 1,100	39.50
900 to 1,000	42.75
800 to 900	46.00
700 to 800	49.25
600 to 700	52.50
500 to 600	55.75
400 to 500	59.00
300 to 400	62.25

200 to 300	65.50
100 to 200	68.75
Less than \$100	72.00

(a) Provided that for the biennium beginning July 1, 1953, only, when the assessed valuation of all taxable property of a district is less than \$2,300 for every resident pupil unit in average daily attendance of the district, the state shall pay equalization aid for each resident pupil unit in average daily attendance in accordance with the following schedule:

Assessed Value of District Per Resident Pupil Unit in Average Daily Attendance	Equalization Aid Per Resident Pupil Unit in Average Daily Attendance
\$2,300 or over	\$00.00
2,200 to 2,300	3.65
2,100 to 2,200	7.30
2,000 to 2,100	10.95
1,900 to 2,000	14.60
1,800 to 1,900	18.25
1,700 to 1,800	21.90
1,600 to 1,700	25.55
1,500 to 1,600	29.20
1,400 to 1,500	32.85
1,300 to 1,400	36.50
1,200 to 1,300	40.15
1,100 to 1,200	43.80
1,000 to 1,100	47.45
900 to 1,000	51.10
800 to 900	54.75
700 to 800	58.40
600 to 700	62.05
500 to 600	65.70
400 to 500	69.35

300 to 400	73.00
200 to 300	76.65
100 to 200	80.30
Less than \$100	83.95

The provisions of paragraph (a) of this subdivision, as amended by this act, shall be effective only for the biennium beginning July 1, 1953.

Provided no district shall receive equalization aid, plus basic aid exceeding the actual maintenance cost.

(b) Assessed valuations used as the basis for computing valuations per resident pupil in average daily attendance mentioned in this section shall be the latest available assessed valuations as reported by the county auditors of the state to the state department of education.

There is hereby constituted an equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of taxation. The duty of this committee shall be to review the assessed valuation of school districts receiving equalization aid. When such reviews disclose reasonable evidence that the assessed valuation of any school district furnished by any county auditor, as aforesaid, is not the true valuation of taxable property in such school districts, then said committee shall call upon the department of taxation to ascertain the true value of such property. The department of taxation shall take such steps as it may consider necessary in the performance of that duty and may incur such expense as is necessary therefor. When so ascertained, *but not later than March 1, 1955*, the department of taxation shall submit its report to said committee for approval or rejection and, if approved, such report shall be filed with the Commissioner of Education and shall replace the valuation figure for the calculation of equalization aids and gross earnings aid under Minnesota Statutes 1949, Sec. 128.22 for the school year 1955-56 and thereafter provided by any county auditor, as aforesaid. A copy of this report shall be sent to the clerk of the school district involved and to the county auditor and county assessor or supervisor of assessments of the county or counties in which such school district is located.

Subd. 2. Pupil units in area vocational-technical schools shall be included with the resident pupil units in determining the equalization aid as provided in subdivision 1.

Subd. 3. In school districts that do not maintain a secondary school or an area vocational-technical school but provide for elementary education, the average daily attendance of elementary, secondary, and area vocational-technical school pupils shall be used in determining the rate of equalization aid for the elementary pupils in such districts in accordance with the schedule in Subdivision 1.

Subd. 4. The equalization aid for non-resident pupils attending a secondary school or area vocational-technical school shall be the rate for the resident pupil units in the school *districts* where *such* non-resident pupils *reside*.

Subd. 5. Where two or more school districts hereafter unite the state aid shall continue to be paid for the remainder of the school year in which the union was completed as the state aids were paid to the individual districts prior to the union.

Subd. 6. Every school district which provides instruction in other districts and which receives basic aid, and the county as provided in section 128.088, Subdivisions 2 and 3, shall pay to the district furnishing elementary and secondary or area vocational-technical school instruction on account of such instruction, the actual cost thereof chargeable to maintenance exclusive of transportation but not to exceed \$170 per pupil unit in average daily attendance of the district; except that where the maintenance cost provided for in this subdivision is more than \$170 the school district furnishing the instruction may charge a rate of tuition equal to \$170 plus one-half of the excess over \$170 up to and including \$210.

There shall also be paid for capital outlay and debt service to the school district providing such instruction up to \$20 per pupil unit in average daily attendance for each non-resident pupil unit to be determined as follows:

Every school district educating non-resident pupils shall receive \$10 per pupil unit in average daily attendance.

In addition up to \$10 per pupil unit in average daily attendance based on the amount that the average expenditure for capital outlay and debt service determined by dividing such annual expenditure by the total number of pupil units in average daily attendance in the district exceeds \$10 per pupil unit. If the district has no capital outlay or debt service the school district receiving such funds may use them for any purpose for which it is authorized to spend money.

Subd. 7. Every school district which receives special state aid shall (1) maintain school or provide instruction in

other districts, in teachers' college laboratory school or in the University laboratory school, at least nine months in a year. After September 1, 1951, the normal school year when school is in session shall be 170 days. A school district which holds school for that period and is otherwise qualified is entitled to special state aid as by law provided. If school is held a less period such special state aid shall be reduced in the proportion that school is held bears to 170 days, *but school districts maintaining less than 170 days of school in session do not lose special state aid if the circumstances causing such loss of school time below 170 days were beyond the control of the school board and provided proper evidence has been submitted; provided further, that days devoted to teachers' institutes or other meetings authorized or called by the State Commissioner of Education may be included as part of the 170 days of school in session*, and (2) furnish free textbooks to pupils, and all school districts are authorized to provide such free textbooks, and (3) expend for teachers' salaries not less than 65% of the maintenance expenditures exclusive of transportation but when such expenditures exceed \$150 per pupil unit in average daily attendance, such annual teachers' salary expenditures need not exceed 65% of the \$150 per pupil unit in average daily attendance exclusive of transportation. When the expenditure for teachers' salaries in a district does not meet the requirements of subdivision 7, clause (3), the special state aid to that district shall be reduced in the proportion that such salaries are reduced below the requirement, and (4) in any city of the first class in this state, operating under a home rule charter and in which city the schools are operated as a part of the city government under a board of education the city council or other governing body thereof is authorized and empowered to amend at any time the budget of said city in reference only to receipts and expenditures made or to be made for education purposes within said city to the extent that if current receipts, during the applicable period of operation of said budget, exceed the amount of the estimate of special state aid set out in said budget, such receipts over the estimate thereof may be spent in the years received for educational purposes.

Subd. 8. *When a school district employs a teacher or teachers that do not hold a valid teaching certificate, special state aid shall be withheld in the proportion that the number of such teachers is to the total number of teachers employed by the district.*

Subd. 9. If maintenance expenditures exclusive of transportation costs is less than \$140 per pupil unit in average attendance, the amount of special state aid shall be reduced in like proportion.

Subd. 10. When elementary or secondary pupils living on land owned by the University of Minnesota as a Research Center attend school in a school district in which such research center is located, the state shall pay state aid to such school district at the same rate per pupil unit in average daily attendance exclusive of transportation as is paid per pupil unit in Minnesota Statutes 1949, Section 128.082, Subdivision 6, *as amended*.

The state aid referred to in this section shall be paid from the special state aid fund based upon an annual application submitted to the State Commissioner of Education.

Subd. 11. *State aid for summer school classes which are not a part of the regular school term in hospitals, sanatoriums, home instruction programs, in elementary and secondary schools and summer school instruction, in area vocational schools or teachers college laboratory schools or in the University laboratory school shall be paid at a proportionate rate for aids paid during the regular school term.*

Sec. 6. Minnesota Statutes 1949, Section 128.085, is amended to read:

128.085 Special state aid shall be paid to school districts in *September* and March based upon information available. In August a final distribution for the previous school year shall be made based upon accurate information.

Sec. 7. Minnesota Statutes 1949, Section 128.088, Subdivision 4, as amended by Laws 1951, Chapter 705, Section 6, is amended to read:

Subd. 4. **Tax levy for tuition.** The board of county commissioners in the county which pays such tuition, at its July meeting shall determine the total sum to be paid on account of such tuition for the *current school year* in excess of the aid to be received from the state on account thereof, and shall levy a tax for such sum sufficient to pay such tuition, and the county auditor shall spread such tax on the property in the school districts of the county which maintains no classified secondary school in the manner provided by law for spreading other taxes therein and such taxes shall be collected in the same manner as other taxes on property are collected. When collected such taxes shall be credited to the county school tax fund which is hereby created.

When the tax rate required to produce the amount levied for county tuition in any county in any year exceeds by 50 per cent the average rate of the tax levied for such purposes in all counties of the state, which average rate shall be deter-

mined by dividing the total amount of taxes levied *for the current school year only* by all counties for such purposes by the total taxable valuation of all property in all counties of the state against which taxes were imposed for such purposes by such counties in such year, then one-half of the amount of any excess over 50 per cent of the amount which would be produced by a levy of such state rate upon the total taxable valuation of all property in such county against which a tax for such purposes was levied shall be paid to such county from the appropriation in this item, and if such appropriation is insufficient to pay the full amounts due all counties entitled to such payments, then they shall be paid there pro rata share of such appropriation.

There is hereby appropriated out of the special state aid fund the sum of \$200,000 for the fiscal year ending June 30, 1954, and the sum of \$200,000 for the fiscal year ending June 30, 1955, to be used for payment of such aid.

Sec. 8. Minnesota Statutes 1949, Section 128.13, as amended by Laws 1951, Chapter 17, Section 1, and Chapter 705, Section 7, is amended to read:

128.13 State aid, special classes for handicapped children. Under such rules as the state board of education may establish relative to qualifications of teachers, courses of study, methods of instruction, admission, size of classes, rooms and equipment, supervision, and such other rules and standards as the board deems necessary, the state shall pay annually to any school district for the education of handicapped children the following amounts:

(a) For deaf children, not to exceed \$400 for each such child.

(b) For blind children, not to exceed \$400 for each such child.

(c) For mentally retarded children, not to exceed \$300 for each such child.

(d) For children with defective speech, not to exceed \$2,400 for each teacher engaged exclusively in this work.

(e) For crippled children, not to exceed \$400 for each such child attending special classes or receiving instruction in the home or in a hospital or sanatorium.

(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 24, 1953.

CHAPTER 757—S. F. No. 1734

[Not Coded]

An act providing for the payment of certain claims and damages against the state arising out of the location, construction, reconstruction, improvement and maintenance of the trunk highway system and appropriating money out of trunk highway fund, or funds accredited thereto, from highway patrol fines or other sources therefor.

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

Section 1. Claims arising out of trunk highway and highway patrol activities, appropriation. The sums herein-after named, or so much thereof as may be necessary, are hereby appropriated out of the trunk highway fund or funds accredited thereto from highway patrol fines or other sources for the purposes specified in the following sections of this act and the Commissioner of Highways is requested and directed,