

Sec. 15. **Inconsistent acts.** All acts or parts of acts now in effect relating to the annual salary of persons holding positions in the unclassified service in the executive branch of the state government inconsistent with the provisions of this act are hereby repealed, superseded, modified or amended so far as necessary to give full force and effect to the provisions of this act.

Sec. 16. This act is in effect on and after July 1, 1957.

Approved April 29, 1959.

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CHAPTER 937—H. F. No. 1451

[Coded in Part]

*An act relating to the payment of state aids to schools; amending Minnesota Statutes 1953, Sections 128.082 Subdivision 6, as amended, 128.066, 128.084; repealing Minnesota Statutes 1953, Sections 128.081 Subdivision 3, as amended, 128.081 Subdivision 6, 128.082 Subdivision 1, as amended, 128.082 Subdivisions 2, 3, 4, 9.*

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

Section 1. [128.091] **Foundation program aid.** (a) Foundation program aid shall be special state aid for schools as computed under the terms of section 2 of this act.

(b) Current adjusted assessed valuation for the purposes of this act shall mean the adjusted assessed valuation as determined by the equalization aid review committee under the provisions of section 4, provided, that for the 1957-1958 school year it shall mean the correct assessed valuation approved by the equalization aid review committee and filed with the commissioner of education in the calendar year 1956 and for the 1958-1959 and 1959-1960 school years it shall mean the correct assessed valuation approved by the equalization aid review committee and filed with the commissioner of education in the calendar year 1957.

Sec. 2. [128.092] **Maximum amount of foundation program aid.** Subdivision 1. The maximum amount of foundation program aid, including the amounts payable under both Minnesota Statutes 1953, Section 128.02 and Minnesota Statutes 1953, Section 290.62, which a school district or unorganized territory may receive shall equal (a) or (b) as calculated under the provisions of this subdivision, whichever is greater, less the maximum foundation program aid payable

to the county for resident pupils of the district under the provisions of Minnesota Statutes 1953, Section 128.088, Subdivision 3 and computed under the provisions of subdivision 2 of this section:

(a) \$240 for each resident elementary, secondary, and area vocational-technical pupil unit in average daily attendance less (16.5 mills times the current adjusted assessed valuation of the district or unorganized territory); provided that for the purposes of this subdivision the current adjusted assessed valuation of any district or unorganized territory which receives refunds under the provisions of Minnesota Statutes 1953, Section 128.022, as amended, or Minnesota Statutes 1953, Section 360.133, shall include the taxable valuation of exempt property used in computing the amount of such refund.

(b) The amount payable under Minnesota Statutes 1953, Section 290.62 plus \$85 for each resident elementary, secondary, and area vocational-technical pupil unit in average daily attendance, which \$85 per pupil unit in average daily attendance shall include the amount payable under Minnesota Statutes 1953, Section 128.02.

Subd. 2. The maximum amount of foundation program aid which a county may receive as partial reimbursement for tuition paid under the provisions of Minnesota Statutes 1953, Section 128.088, Subdivision 2 shall be the total of the amounts of maximum foundation program aid earned by the attendance in classified secondary or area vocational-technical schools of pupils residing in districts of the county which do not maintain classified secondary schools; for each such district in which (a) in subdivision 1 of this section determines the maximum foundation program aid due, the maximum foundation program aid paid to the county shall be that amount which bears the same ratio to the maximum foundation program aid to which the district is entitled under (a) as the total number of secondary and area vocational-technical pupil units of the district bears to the total number of elementary, secondary, and area vocational-technical pupil units of the district; for each such district in which (b) in subdivision 1 of this section determines the amount of maximum foundation program aid due, the maximum foundation program aid paid to the county shall be \$85 times the total number of secondary and area vocational-technical pupil units of the district, which \$85 per pupil unit shall include the amount payable under Minnesota Statutes 1953, Section 128.02.

Subd. 3. If for the school year for which aid is to be paid the actual cost per pupil unit in average daily attendance

in the school district or unorganized territory for maintenance exclusive of transportation costs does not equal or exceed \$210 the foundation program aid shall be reduced, and the adjusted foundation program aid paid to the school district or unorganized territory shall not exceed the amount that bears the same ratio to the maximum foundation program aid to which it would be entitled under the provisions of subdivision 1 of this section that such actual maintenance cost per pupil unit bears to \$210.

Subd. 4. If for the school year for which aid is to be paid to the county the average amount per resident pupil unit paid from the county tuition fund under the provisions of Special Session Laws 1955, Chapter 1, Section 3, as amended in Section 3 of this statute, for maintenance exclusive of transportation costs does not equal or exceed \$210, the foundation program aid to the county shall be reduced, and the adjusted foundation program aid paid to the county shall not exceed the amount that bears the same ratio to the maximum foundation program aid to which it would be entitled under the provisions of subdivision 2 of this section that such average amount paid per pupil unit bears to \$210.

Subd. 5. If the total amount levied under the provisions of Minnesota Statutes 1953, Section 128.088, Subdivision 4 and for maintenance, exclusive of the one mill county school tax, Minnesota Statutes 1953, Section 127.02, on the valuation established as of May 1 prior to the opening of the school year for which aid is to be paid on the property of the school district or of the unorganized territory does not equal or exceed the amount that would be produced by a 13 mill tax on the current adjusted valuation of the school district or of the unorganized territory, as defined in section 1 of this act, the foundation program aid as adjusted under the provisions of subdivision 3 of this section shall be further reduced, and the net foundation program aid paid to the school district or unorganized territory shall not exceed the amount which bears the same ratio to the adjusted foundation program aid to which it would be entitled under the provisions of subdivision 3 of this section as such total amount levied bears to the amount that would be produced by such 13 mill tax.

Subd. 6. If the total amount levied under the provisions of Minnesota Statutes 1953, Section 128.088, Subdivision 4 and for maintenance, exclusive of the one mill county school tax, Minnesota Statutes 1953, Section 127.02, on the valuation established as of May 1 prior to the opening of the school year for which aid is to be paid on the respective taxable properties of the school districts of the county which do not maintain

classified secondary schools in that year does not equal or exceed the amount that would be produced by a 13 mill tax on the total of the current adjusted assessed valuations of those same districts as defined in section 1 of this act, the foundation program aid as adjusted under the provisions of subdivision 4 of this section shall be further reduced, and the net foundation program aid paid to the county shall not exceed the amount that bears the same ratio to the adjusted foundation program aid to which it would be entitled under the provisions of subdivision 4 of this section as such total of all amounts levied bears to the amount that would be produced by such a 13 mill tax.

Subd. 7. Other provisions of this act notwithstanding no district, unorganized territory, or county shall receive less net aid than the amount to which it is entitled under Minnesota Statutes 1953, Section 128.02, or less net aid than the amount to which it is entitled under section 2, subdivision 1 (b).

Sec. 3. Minnesota Statutes 1953, Section 128.082, Subdivision 6, as amended by Extra Session Laws 1955, Chapter 1, is amended to read:

Subd. 6. Every school district which provides instruction in other districts and which receives *foundation program 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 costs.

There shall also be paid for capital outlay and debt service to the school district providing such instruction \$10 per pupil unit in average daily attendance for each non-resident pupil unit, except that every school district educating non-resident pupils may charge and include in its tuition, for capital outlay and debt service, an amount 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.

Sec. 4. [128.093] **Equalization aid review committee.** The equalization aid review committee, consisting of the commissioner of education, the commissioner of administration, and the commissioner of taxation, is hereby continued

and permanently established. The duty of this committee shall be to review the assessed valuation of the school districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any school district furnished by any county auditor is not based upon the correct full and true valuation of taxable property in such school districts, then said committee shall call upon the department of taxation to ascertain the correct full and true value of such property, and adjust such values as required by law to determine the correct assessed valuation. 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. On July 1, 1958 and of each year thereafter 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 not later than the following January first, and shall replace, for the school year following the next January first the valuation figure for the calculation of foundation aid as defined in Section 1 of this act and gross earnings aid under Minnesota Statutes 1953, Section 128.22, as amended, provided by any county auditor. A copy of this report shall be forthwith mailed by certified mail to the clerk of each school district involved and to the county auditor and county assessor or supervisor of assessments of the county or counties in which each such school district is located.

Should any district within 30 days after receipt of a copy of the report filed with the commissioner of education show the equalization review committee that an error has been made in the determination of its correct full and true valuation, and the committee agrees that such error has been made, the committee shall redetermine the correct full and true value of such property, and adjust such values as required by law to determine the correct assessed valuation of said district and file such redetermination with the commissioner of education. For such purposes, the committee may call upon the department of taxation to assist it in determining whether error has, in fact, been made.

Sec. 5. Minnesota Statutes 1953, Section 128.066, is amended to read:

**128.066 Primary reduction from basic aid; additional reductions.** Reductions in special aid under sections 128.061 to 128.068 shall be from *foundation program* aid allowed to the district affected, and if there is not sufficient *foundation program* aid remaining to be paid for the school year in which the violation which is the reason for reduction occurred at the

time it is determined reduction is required, then the reduction shall be from the other special aids payable to the district for that year in the order in which special state aids are listed in Minnesota Statutes 1949, Section 128.084, unless the violation is for performance of a contract for transportation under Minnesota Statutes 1949, Section 125.06, Subdivision 14, which has been disapproved, in which case the primary reduction shall be from transportation aid, and if reduction is for several violations one of which is continued performance of such a contract, then transportation aid will be the primary fund for reduction in the proportion that the violation for performance of such a contract bears to the total number of violations involved. If there is not sufficient in amount of special state aids remaining payable to the district for the school year in which the violation or violations occurred to permit the full amount of reduction required, then that part of the required reduction not taken from that school year's aids will be taken from the special state aids payable to the district for next school year, and the reduction will be made from the various aids payable for the next year in the order above specified.

Sec. 6. Minnesota Statutes 1953, Section 128.084, is amended to read:

128.084 **Aid apportionment.** Appropriations made for special state aid are for the following purposes:

*Foundation program aid; emergency aid; transportation aid provided in section 128.07; aid for special classes of handicapped children provided in Laws 1957, Chapter 867; teacher training mentioned in section 128.15; gross earnings tax aid mentioned in Minnesota Statutes, Section 128.22, tuition and transportation aid as mentioned in section 128.08 as it applies to state schools of agriculture and vocational aid as provided in section 128.31. Before any other aids are paid, transportation aid shall be paid.*

Sec. 7. [128.094] **Area vocational school, attendance of secondary school graduate.** Any secondary school graduate may attend an area vocational school without tuition and in that event all state aids and federal aid shall be paid to the area vocational school where the student attends providing the area school has the room and facility to receive the non-resident student.

Sec. 8. Minnesota Statutes 1953, Section 128.081, Subdivision 3 as amended by Extra Session Laws 1955, Chapter 1, Section 128.081, Subdivision 6, Section 128.082, Subdivision

1 as amended by Extra Session Laws 1955, Chapter 1, Section 128.082, Subdivisions 2, 3, 4, and 9 are repealed.

Approved April 29, 1957.

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CHAPTER 938—H. F. No. 2041

[Not Coded]

*An act authorizing any county and any city of the first class within the limits of such county, which county and city operate and maintain jointly a board of public welfare or county welfare board, the costs of which are borne jointly by said county and city, and under the jurisdiction of which board public hospitals are maintained and controlled, to acquire land for, erect, equip and furnish a hospital and nurses' home to be maintained and operated jointly by such county and such city; providing that the cost and expense thereof shall be borne in the following proportions: 72½ percent thereof by such county and 27½ percent thereof by such city; authorizing such county to issue bonds to defray its share of the expense thereof in an amount not to exceed \$11,600,000 without submitting the issuance thereof to a vote of the people; authorizing such city to issue bonds to defray its share of the expense thereof in an amount not to exceed \$4,400,000 without submitting the issuance thereof to a vote of the people; providing for the creation of a hospital facility building commission and prescribing the method of selection of site, erection, acquiring, equipping and furnishing of such hospital and nurses' home; authorizing the application for the receiving of assistance from the United States of America or any agency thereof, or the state of Minnesota or any agency thereof, to aid in such construction; providing for the maintenance and operation of such hospital and nurses' home by the board of public welfare or county welfare board of such county and such city; and providing for a referendum thereon upon the filing with the county auditor, within fifteen days of the passage of this act, petition or petitions signed by 25 percent of the total qualified voters in said county demanding that such referendum be held.*

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

**Section 1. Ramsey county and city of St. Paul, joint hospital facilities.** Any county in the state and any city of the first class within the limits of such county, and which county and city operate and maintain jointly a board of public welfare or county welfare board, the costs of which are borne jointly by such county and such city, and under