

Executive Officer—livestock sanitary board ..	11,000
Public examiner .....	12,000
Commissioner of securities .....	12,000
Commissioner of business development .....	12,000
Director of waters .....	10,000
Superintendent—crime bureau .....	10,000
Industrial commissioners (3) .....	10,000
Commissioner of veteran's affairs .....	10,000
Director of civil defense .....	10,000
Director of parks .....	10,000
Commissioner of iron range resources .....	10,000
Commandant—soldiers home .....	8,500
Secretary—compensation insurance board .....	8,000
Surveyor general .....	7,500

Approved June 9, 1961.

EXTRA SESSION

CHAPTER 89—S. F. No. 11

[Not Coded]

*An act relating to the operations of state government; appropriating moneys for education and related purposes, including the University of Minnesota and its hospitals, aids to rural libraries, junior colleges, for a school construction loan program, the payment of agricultural agents, and limiting and regulating the use thereof; providing aid to school districts including those affected by gross earnings taxation and authorizing borrowing by school districts in anticipation of taxes and state aids; authorizing the power of eminent domain with certain of the funds provided hereby; transferring moneys between accounts and funds in the state treasury; controlling certain treasury receipts; and imposing conditions relative to the expenditure of public moneys.*

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

**Section 1. Educational purposes, appropriations.** Except as herein otherwise provided, the sums hereinafter set forth in the columns designated "APPROPRIATIONS", or so much thereof as may be necessary, are hereby appropriated out of the general revenue fund in the state treasury for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The

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figures "1961", "1962", and "1963" wherever used in this act, shall mean that the appropriation or appropriations listed thereunder shall be available for the year ending June 30, 1961, 1962, and 1963 respectively.

		APPROPRIATIONS Available for the Year Ending June 30 .		
		1961	1962	1963
Sec. 2. DEPARTMENT OF EDUCATION:				
Subd. 1. Salaries .....	\$	---	\$ 764,928	\$ 774,336
Approved Complement—146				
This item includes not to exceed \$16,000 per annum as salary for the Commissioner of Education, to be paid notwithstanding the provisions of any other law to the contrary. Provided, however, that the appointment of the Commissioner shall be made with the advice and consent of the Senate.				
Subd. 2. Supplies and Expense .....			139,730	129,458

The amounts appropriated by Subd. 2, include items of traveling libraries and audiovisual recording expense and sufficient funds for veterans on the job training program.

Included in the above appropriations in Sec. 2, Subd. 1 and 2, sufficient funds are provided for establishing and developing a program of special education for exceptional children under a director in order to assist school districts in the education of such children in order to establish standards for teachers and other professional personnel engaged in providing instruction and services for such children; to prescribe courses of study for such children and minimum standards for the admission of such children to study such courses; to prescribe courses of study and curricula for state operated residential schools; and in order

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to provide plans for classes, schools, home instruction and other methods of educating and serving exceptional children.

The appropriation provided in Sec. 2, Subd. 2, includes an amount sufficient for travel expenses of the advisory board on handicapped, gifted and exceptional children.

Subd. 3. Liaison Committee—Salaries and Expenses .....	7,000	
<p>Provided the balance shall not cancel on June 30, 1962 but be available for the following year.</p>		
Subd. 4. Vocational Training of Disabled Persons, including the Homecrafters Program and the Rehabilitation of Epileptic Persons .....	676,917	677,008
<p>Of the amount of state funds appropriated by Subd. 4, no additional employees shall be granted beyond the approved roster of 91.</p>		
Subd. 5. Scholarships for Indian Students .....	12,000	15,000
Subd. 6. Community Lunch Program .....	400,000	400,000
<p>Of the amount provided by Subd. 6, so much thereof as is necessary shall be used for the type "C" milk program. To be distributed under standards established by the State Board of Education.</p>		
Subd. 7. Research .....	40,000	40,000
Subd. 8. Aid to Rural Public Libraries, but not exceeding 10% thereof for administration and for providing direct library service to rural areas including incorporated or unincorporated places with a population of 10,000 or less. The balance for financial assistance to rural public libraries as defined in Subd. 8 .....	125,000	125,000

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A rural public library is a public library serving 20,000 or more persons or serving less than 20,000 persons with the approval of the Commissioner of Education, in a rural area and receiving annually from public funds financial support of at least one mill on the assessed valuation of the taxable property in the area served by the library.

Applications for financial assistance shall contain such information as the department requires including descriptions of rural areas served by the applicant and the number and distribution of persons residing therein; the local plan of the applicant for promoting library service in the rural areas it serves and an estimate of the financial assistance to put such plan in effect, and a statement of the ability of local government within the area served by the applicant to finance operations out of public funds raised by local taxes.

Financial assistance shall be granted to an eligible applicant proposing an economical and practical plan for the promotion of library service in the rural area in such amount and subject to such conditions as the department determines after considering the information contained in the application for assistance and the total amount of state and federal funds available for the promotion of rural library service in the state.

In connection with this appropriation the department shall submit to the United States Commissioner of Education a plan for the

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extension of public library service to rural areas pursuant to the Library Services Act, Public Law No. 597, 84th Congress, 2nd Session (June 19, 1956) and shall adopt rules and regulations for the administration of the plan.

Subd. 9. School Construction Loan Program .....	400,000	400,000
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Notwithstanding the provisions of any law to the contrary, the appropriations under this subdivision shall be available until expended for the purposes of, and in addition to the appropriations made by, the "Maximum Effort School Aid Law".

Subd. 10. Experimental Laboratory Program .....	164,400
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Not to exceed \$60,000 thereof may be expended as a working capital fund for the payment of salaries and expenses for which reimbursement is anticipated from gifts, private or public. The remainder is for salaries and expenses and includes, not exceeding, a one-half time director for each new curriculum project, a full-time administrator for the laboratory, a full-time test construction expert, a three-quarter time statistician, and two secretaries.

This personnel and the appropriation is for the expansion of the experimental laboratory program in mathematics to encompass elementary and secondary school curriculums to the greatest extent possible. The laboratory program, known as the Minnesota National Laboratory, may be conducted in cooperation with educational agencies of the several states and the federal government, so that the programs may be applied to schools both within and without the state.

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The authorized personnel may be engaged on a contract basis or may be employed from registers in the classified civil service.

The department may accept gifts from public or private sources to finance the Minnesota National Laboratory in whole or in part. Monies so accepted are appropriated to the department for the purposes for which received.

The expanded program for which this appropriation is made is deemed by the legislature to be experimental and not to be renewed in succeeding years unless justified by developments in this biennium. The balance remaining on June 30, 1962 shall not cancel but be available for the following year.

Provided that the amounts appropriated in Sec. 2 except Subd. 3 and 8 shall be paid from the Income Tax School Fund.

Sec. 3. STATE COLLEGE BOARD:

Subd. 1. Maintenance and Equipment .....

7,032,463 7,588,121

The above appropriation is for maintenance and equipment, including summer session and library, of the State College Board and the state colleges located at Bemidji, Mankato, Moorhead, St. Cloud and Wintona.

Of the amounts appropriated in Subd. 1, there is provided the sum of \$45,000 for the fiscal year ending June 30, 1962, and \$45,000 for the year ending June 30, 1963, or so much thereof as is necessary, for operation of a shuttle bus between campuses. Any unused balances shall not be used for any other purposes.

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Subd. 2.	Repairs and Betterments .. The above appropriation is for repairs and betterments of the state colleges located at Bemidji, Mankato, Moorhead, St. Cloud and Winona.	80,000	80,000
Subd. 3.	Training of Cerebral Palsied Children—St. Cloud ..	22,250	22,750
Subd. 4.	Teachers Training Program in Special Education for Handicapped Children—Mankato State College .....	25,000	25,000
Subd. 5.	Teachers Training Program in Special Education for Handicapped Children—Moorhead State College .....	25,000	25,000
Subd. 6.	Liaison Committee—Salaries and Expenses .....	7,000	
	Provided that the balance shall not cancel on June 30, 1962, but be available for the following year.		
Subd. 7.	Contingent Fund for Enrollment Increases .....	90,000	
	In the event the ratio of faculty to students, based on full time equivalent students enrolled in on-campus and off-campus courses during the regular school year, exceeds one to twenty at any state college, the state college board may make application to the Governor, who after consultation with the Legislative Advisory Committee, as provided by M. S. 356.17, may grant a deficiency appropriation to maintain the faculty student ratios cited above.		
	In computing the above ratios seven administrative faculty positions shall be excluded at Bemidji, Moorhead, and Winona and eleven administrative faculty positions shall be excluded at Mankato and St. Cloud.		

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Provided that no faculty member presently employed shall be discharged in order to comply with the faculty-student ratios established above.

Provided, the balance remaining on June 30, 1962 shall not cancel but be available for the second year.

All receipts of every kind, nature and description, including student's tuition and fees, all federal receipts, aids, contributions and reimbursements in all the state colleges, except those receipts attributable to the dormitory functions which shall be handled pursuant to authority under M.S. 136.31 to 136.38 are hereby reappropriated to the State College Board, but are subject to budgetary control to be exercised by the Commissioner of Administration.

Further exempt are those receipts attributable to the college Activity Funds and which are not subject to budgetary control as exercised by the Commissioner of Administration.

The appropriations to the State College Board are conditioned upon compliance with the following:

The State College Board shall charge tuition of students attending any state college at not less than the following schedule:

On Campus Tuition Rates

Regular School Year—Resident \$3.50 per credit hour

Regular School Year and Summer Session—Non Resident 5.50 per credit hour

Summer Session—Resident 4.50 per credit hour

Graduate—Resident 5.00 per credit hour

Graduate—Non Resident 7.50 per credit hour

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Off Campus Tuition Rates

All Students—Resident or Non Resident 7.50 per credit hour

Minnesota Statutes 1957, Section 136.11, as amended, is superseded to the extent it is inconsistent with the foregoing schedule, but nothing herein contained shall be construed to prevent the State College Board from increasing the maximum tuition of students attending any of the above state colleges if deemed advisable, over the amount provided for tuition in the foregoing schedule.

The State College Board may waive tuition on certain institutes, courses or projects when the sponsor pays all costs.

Subd. 8. The appropriation for salaries to the State College Board contain funds sufficient for increases or professional academic staff on the basis of the formula contained in this act, which is hereby adopted as the basis of said professional academic salaries for the biennial period ending June 30, 1963.

Subd. 9. National Defense Student Loan Program ..... 75,000 75,000

Provided that any balance remaining on June 30, 1962, shall not cancel but be available for the following year. No portion of the appropriation shall be used to defray obligations incurred prior to July 1, 1961.

Sec. 4. STATE UNIVERSITY, UNIVERSITY FARM SCHOOL, EXPERIMENT SCHOOL AND STATIONS, AND BRANCHES:

Subd. 1. For maintenance and Improvements ..... 26,990,691 27,910,764

Provided, that of the above appropriation, \$1,101,304 the

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first year and \$778,255 the second year is available for salary adjustments for promotion and special merit increases for the faculty.

The Board of Regents of the University may use any money not specifically appropriated for other purposes for acquiring land by purchase or condemnation in case it is desired to use the fund for the acquisition of land, the power of eminent domain may be exercised in accordance with Minnesota Statutes 1957, Chapter 117.

The University of Minnesota may establish and conduct a school for the instruction of persons in law enforcement and the governing body of any political subdivision of this state may authorize the attendance upon such school of any law enforcement officer under its jurisdiction and may provide for the payment of the expenses of such person while in attendance at such school from the general funds of such political subdivision. To each person satisfactorily completing the prescribed course of instruction in the school as established shall be issued a certificate of graduation or diploma stating that the holder has graduated therefrom.

Provided, that out of the appropriation herein provided there shall be furnished without cost to the State Department of Health, maintenance and custodial care for the State Board of Health Psychology Building on the main campus of the University.

Provided, that of the amounts appropriated above, \$24,748 for the year ending June 30, 1962 and \$25,592 for the year ending June 30, 1963 is for ore estimates to be furnished by

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the School of Mines at the University of Minnesota, for the Department of Taxation.

Provided, that of the amount appropriated above, \$10,000 each year shall be used for the Rural Nursing Coordinator program.

Provided, that these appropriations for maintenance and improvements are made from revenues accruing to the University from:

- (1) the tax levy under Minnesota Statutes 1957, Sec. 127.01;
- (2) the investments of Constitutional trust funds; and
- (3) the occupational tax on iron ore.

If such revenues are insufficient, the remainder of such appropriations are advanced and appropriated from any moneys in the state treasury credited to the general revenue fund.

The state auditor shall cause these appropriations to be paid to the University monthly on the first day of each month of each fiscal year beginning July 1, 1961. If at the end of any fiscal year there are unexpended revenues accruing to the University from the three sources of revenues herein enumerated, the general revenue fund shall be reimbursed therefrom to the extent that payments have been made from the general revenue fund during such fiscal year pursuant to these appropriations. The auditor and treasurer shall make the appropriate entries.

For budgetary purposes it is estimated that the foregoing appropriation from the general revenue fund will not exceed the sum of \$23,669,085 the first

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year and \$24,680,299 the second year.

On October 1, 1962 and 1963 the president of the University of Minnesota shall furnish the Commissioner of Administration the following information:

(1) The total amount of receipts during the fiscal year 1962 from all sources in excess of \$12,332,922 and during the fiscal year 1963 from all sources in excess of \$12,619,393.

(2) The sources of said receipts, and

(3) The purposes for which any excess receipts were expended and accounts to which transferred.

Subd. 2. Purchase of Computer .....	250,000	
Subd. 3. For the support of the state university—Morris collegiate program .....	220,286	343,243
Subd. 4. Liaison Committee—Salaries and Expenses .....	7,000	

Provided the balance shall not cancel on June 30, 1962, but be available for the following year.

**Sec. 5. FOR CARE OF INDIGENT COUNTY PATIENTS TO BE RENDERED BY THE UNIVERSITY OF MINNESOTA HOSPITALS, INCLUDING THE HEART HOSPITAL, UNDER LAWS 1921, CHAPTER 411, SECTION 7, AS AMENDED.**

Subd. 1. For state's share of expenses of county indigent patients .....	100,000	1,948,448	2,070,612
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Subd. 1 shall include and cover the amounts which may become due to the University of Minnesota from the state during the fiscal years covered by said subdivision under the provisions of General Laws 1921, Chapter 411, as amended by General Laws 1927, Chapter 431.

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There is further appropriated to the University of Minnesota the following sums, or so much thereof as may be necessary, for the purpose of reimbursing the said University for the sum due from counties during said fiscal years under the provisions of said acts payments to be made quarterly out of said appropriations, as shown by certificates filed with the state auditor pursuant to the provisions of said act .....

1,948,448      2,070,612

The state auditor is authorized and directed to pay the University out of sums collected from counties under the provisions of Laws 1927, Chapter 431, during the fiscal years ending June 30, 1962 and June 30, 1963, respectively, an amount sufficient to reimburse said University in full for the amount due it from counties during said fiscal years, as shown by certificates filed with the state auditor, and a sum sufficient to make such payments is hereby appropriated.

Sec. 6. FOR THE PSYCHOPATHIC DEPARTMENT OF UNIVERSITY OF MINNESOTA HOSPITALS .....

673,389      700,501

Sec. 7. FOR THE CHILD PSYCHIATRIC DEPARTMENT OF THE UNIVERSITY OF MINNESOTA HOSPITALS .....

260,936      271,538

Sec. 8. MULTIPLE SCLEROSIS .....

55,000      55,000

Sec. 9. REHABILITATION CENTER .....

443,706      459,293

Fees for service furnished to counties and individuals under this item shall be sought to augment the sum hereby appropriated, which said fees are hereby reappropriated to said University Hospital.

Sec. 10. FOR VARIOUS EXPERIMENTS AND INVESTIGATIONS TO BE CARRIED ON UN-

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DER. THE DIRECT SUPERVISION OF THE UNIVERSITY OF MINNESOTA:

Subd. 1. Business and Natural Resources:

- a. (1) For general experiments in the beneficiation of manganiferous and low grade ores, and for experiments in the direct process beneficiation of low grade ores ..... 53,000 55,000
- (2) For experiments in the beneficiation of manganiferous and low grade ores and for experiments in the direct process beneficiation of low grade ores with special emphasis on ores of the Cuyuna Range ..... 106,000 110,000

The amounts in items a (1) and a (2) will be available upon condition that the scope and nature of the experiment are defined by the agreement of the Commissioner of Iron Range Resources and Rehabilitation Commission and the Regents of the University (the Commissioner being now directed to enter negotiations to the end of such determination) and that progress in this research will be reported to said commission and to the legislature as requested.

The amounts appropriated by item a. are to be paid from the Iron Range Resources and Rehabilitation Fund and said appropriations are made a charge against said fund.

- b. Business and Economic Research ..... 40,000 45,000

The Regents of the University of Minnesota are urged to solicit industry to contribute an amount equal to the above appropriation.

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c.	Hardwood Timber Species Research .....	6,500	6,500
d.	Industrial Relations Education Program .....	40,000	42,000
Subd. 2.	Medical and Sociological:		
a.	For Medical and Cancer Research .....	90,000	94,000
b.	For Institute of Child Welfare .....	36,000	36,000
	Provided, that from the amounts appropriated research shall be conducted in problems relating to children and school curricula.		
c.	Training Project for Delinquency Control .....	10,000	10,500
d.	Psychiatric Research .....	40,000	42,000
e.	Training of Laboratory Aides .....	11,000	12,000
Subd. 3.	Miscellaneous Research:		
a.	General Research .....	115,000	120,000
	Of the amount appropriated by Subd. 3(a) for the fiscal year ending June 30, 1962, not to exceed \$5,000 shall be used for research and experimentation in the removal and eradication of aquatic plant life and growth.		
b.	Minnesota Institute of Research .....	35,000	36,000
c.	Special Education, Training and Research Program .....	41,000	43,000
Subd. 4.	Agricultural Research and Extension:		
a.	Tuition and transportation aid for students of state agricultural schools as provided by Extra Session Laws 1959, Chapter 71, Article V, Section 23.....	52,000	50,000
	The moneys appropriated by Subd. 4a are hereby appropriated from the Income Tax School Fund and are not charged		

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against the General Revenue Fund.

b. Livestock Sanitary Board

Laboratory .....	63,000	65,000
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The appropriations herein made provides for the operation of the Livestock Sanitary Board Laboratory.

c. To Livestock Sanitary Board .....

	44,000	44,000
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The appropriations herein made are to operate field laboratories for the testing of poultry, including turkeys, for pullorum and other diseases. The Board may contract with the Regents of the University of Minnesota for the operation of the field laboratories upon mutually agreeable terms. No fees shall be collected for field laboratory tests.

d. Agricultural Research:

Rosemount .....	110,000	115,000
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e. General Agricultural Research .....

	525,000	525,000
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The above appropriation shall include present research programs and development of research programs as found on page 47 of the University budget request.

The Regents of the University are urged to solicit industries interested in breeding and testing farm crops, dairy manufacturing, mastitis control, brucellosis research, honey bee research, turkey disease research, swine disease research, and research in artificial insemination of cattle, to contribute an amount equal to the amount of the above appropriation spent upon any one of the research items in this paragraph described.

f. Soybean Research .....

	50,000	50,000
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The foregoing appropriation shall be used for the purpose of soybean research of varieties adaptable to the various growing conditions in Minnesota, including a high protein, hard shell and low oil content bean, and an early maturing variety. The University shall submit a report to the 1963 session of the legislature of the moneys expended and the results and status of such soybean research.

g. General Agricultural Extension .....	710,000	740,000
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Item g includes the items of agricultural extension work, county agricultural agents, home demonstration and 4-H club work, and soil conservation. Any salary increases granted to personnel provided for by this section by the University shall not result in a reduction of the county portion of the salary payments.

h. Maintenance of the Southwest Agricultural Experiment Station .....	42,400	44,096
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i. Legume and Grass Seed Research .....	39,000	41,000
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j. Geological Survey .....	40,000	35,000
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k. Purchase of Library Books	50,000	
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The above appropriation is made for the purpose of supplementing University purchases of library books. This item is to be non-recurring.

l. Potato Processing Research Laboratory .....	39,000	
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The above appropriation is made on the condition that the Red River Valley Potato Industry and U. S. Department of Agriculture construct buildings, provides all major equipment and assume operating costs of buildings and equipment. Further that the State of North Dakota match the

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appropriation herein made for salaries, supplies and minor equipment.

The balance shall not cancel on June 30, 1962 but be available for the following year.

From the appropriations made to the University of Minnesota by this act and from other sources all non-academic employees shall be paid a salary comparable to the salaries paid to state employees in the classified state civil service.

Sec. 11. MINNESOTA BOARD OF NURSING:

Subd. 1. For Nursing Scholarships ..	100,000	100,000
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Sec. 12. SCHOOL AIDS:

Subdivision 1. Aid to Schools.....	123,663,000	132,613,000
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Should the appropriation for either year of the biennium be insufficient to pay all special state aids provided in this subdivision, then the appropriation for the other year of such biennium is available therefor.

Subd. 2. Except for foundation program aid, the appropriations for other aids in Section 12 for the fiscal years 1962 and 1963 shall be distributed as provided by law. Notwithstanding the provisions of any other law to the contrary, the appropriations in Section 12 for the fiscal years 1962 and 1963 for foundation program aid shall be distributed pursuant to the following:

(1) Foundation program aid shall be special state aid for schools as computed under the terms of this section.

(2) The maximum amount of foundation program aid, including the amounts payable as apportionment of the school endowment fund and Minnesota Statutes

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1957, Section 290.62, which a district or unorganized territory may receive shall equal (a) or (b) as calculated under the provisions of this clause, whichever is greater, less the maximum foundation program aid payable to the county for resident pupils of the district, computed under the provisions of this clause;

(a) For the year ending June 30, 1962, aid shall be paid to a district on the basis of its actual maintenance cost per pupil unit in average daily attendance or \$275 whichever is the lesser for each resident elementary, secondary, and area vocational - technical school pupil unit in average daily attendance less 18.5 mills times the current adjusted assessed valuation of the district or unorganized territory; for the year ending June 30, 1963, aid shall be paid to a district on the basis of its actual maintenance cost per pupil unit in average daily attendance or \$285 whichever is the lesser for each resident elementary, secondary, and area vocational-technical school pupil unit in average daily attendance less 19 mills times the current adjusted assessed valuation of the district or unorganized territory; provided that for the purpose of this clause the current adjusted assessed valuation in any district or unorganized territory which receives refunds under the gross earnings aid law or airport construction aid law shall include the taxable valuation of exempt property used in computing the amount of such refund.

(b) The amount payable

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under Minnesota Statutes 1957, Section 290.62, and acts amendatory thereof, plus \$90 for each resident elementary, secondary, and area vocational - technical pupil unit in average daily attendance, which ~~\$100~~ per pupil unit in average daily attendance shall include the amount payable as apportionment of the school endowment fund.

(3) The maximum amount of foundation program aid which a county may receive as partial reimbursement for tuition paid 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 clause 2 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 clause 2 determines the amount of maximum foundation program aid due, the maximum foundation program aid paid to the county shall be \$90 times the total number of secondary and area vocational - technical pupil units of the district,

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which \$90 per pupil unit shall include the amount payable as apportionment of the school endowment fund.

(4) Current adjusted assessed valuation for the purposes of this subdivision has the meaning set forth in Extra Session Laws 1959, Chapter 71, Article V, Section 21, Subdivision 1(b).

(5) Actual maintenance cost per pupil unit in average daily attendance for the purposes of this subdivision has the meaning set forth in Extra Session Laws 1959, Chapter 71, Article V, Section 21, Subdivision 1(c).

(6) 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 districts of the state. When such reviews disclose reasonable evidence that the assessed valuation of any district furnished by any county auditor is not based upon the correct full and true valuation of taxable property in such district, 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

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incur such expense as is necessary therefor. On July 1, annually, 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 1, and shall replace, for the school year following the next January 1, the valuation figure provided by any county auditor for the calculation of foundation aid and gross earnings aid. A copy of this report shall be forthwith mailed by certified mail to the clerk of each district involved and to the county auditor and county assessor or supervisor of assessments of the county or counties in which such district is located.

In any district in which the correct assessed valuation (exclusive of property added since the prior assessment) has increased more than 15 percent over the correct assessed valuation determined on the basis of the prior assessment, the equalization aid review committee shall review and redetermine the correct assessed value for the year 1958 and subsequent years when an application for such review is made by the district within twelve months after receipt of a copy of the report filed with the commissioner of education with respect to such prior year, provided that for the year 1958 such application may be made on or before July 1, 1961.

Should any district, within 60 days after receipt of a copy of a report filed with the commissioner of educa-

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tion made pursuant to this clause (or notice of re-determination made pursuant to the preceding paragraph of this clause), be of the opinion that the equalization aid review committee has made an error in the determination of the school district's correct full and true valuation, it may appeal from the report or portion thereof relating to the school district to the board of tax appeals, pursuant to the following:

(a) The school district shall file with the clerk of the board of tax appeals a notice of appeal from the determination of the equalization aid review committee fixing the correct full and true valuation of the school district, and such notice shall show the basis of the alleged error. A copy of such notice of appeal shall be served upon the commissioners of taxation and education, and proof of service shall be filed with the clerk of the board.

(b) Upon receipt of the notice of appeal the board of tax appeals shall review the notice of appeal and determine whether it appears from the allegations and proofs therein contained that an error has been made in the determination by the equalization aid review committee of the correct full and true valuation of the property in the school district. If the board finds it probable that such an error has been made, it shall notice the matter for hearing; otherwise, it shall dismiss the appeal and notify the parties thereof. Hearing shall be set and held in the same manner as other hearings of the

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board of tax appeals are set and heard. The attorney general shall represent the commissioners of taxation and education and the equalization aid review committee; the Administrative Procedure Act, Minnesota Statutes 1957, Sections 15.0415 to 15.0422, shall apply to hearings insofar as it is applicable.

The board of tax appeals shall hear, consider and determine such appeal de novo upon the issues made by the notice of appeal, if a hearing has been granted thereon. At the conclusion of the hearing the board shall (1) file findings of fact, or (2) re-refer the issues to the equalization aid review committee with instructions and recommendations for a determination and correction of the full and true valuation of the the appealing school district. The decision of the board of tax appeals, if it decides the matter de novo, shall have the same force and effect as a determination by the equalization aid review committee in the first instance under clause (6) of this subdivision, and the equalization aid review committee shall be notified thereof. If the matter is re-referred to the equalization aid review committee, a re-determination by the equalization aid review committee in accordance with the recommendations of the board of tax appeals shall likewise have the same force and effect as a determination by it in the first instance under clause (6).

(c) In addition to the powers and duties of the board of tax appeals as

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prescribed by Minnesota Statutes 1957, Chapter 271, and any act amendatory thereof, any hearing ordered pursuant to the provisions hereunder may be heard by a hearing examiner in lieu of one or more members of the board of tax appeals. If a hearing is conducted by a hearing examiner, such hearing examiner shall exercise the same powers conferred by law upon one or more members of the board of tax appeals. He shall report to the board. The board is authorized to make findings of fact based on the report of the hearing examiner in the same manner as is required by these provisions when the hearing is conducted by the board. The board of tax appeals may employ hearing examiners upon such terms and conditions as it shall prescribe. A hearing examiner so appointed shall be in the unclassified service of the state.

(d) A decision of the board of tax appeals pursuant to the terms hereof shall be final and shall not be subject to review by any court, except upon certiorari to the supreme court.

(e) There is appropriated to the board of tax appeals from the income tax school fund in the state treasury the sum of \$100,000, or so much thereof as may be necessary, for the biennium beginning July 1, 1961, for the purposes of carrying out the powers and duties imposed upon it hereunder. This appropriation is in addition to any other appropriations made by law to the board of tax appeals for the performance of its other powers and duties.

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(f) During the pendency of any appeal from an equalization aid review committee evaluation, state aids to the district so appealing shall be paid on the basis of the evaluation or determination by the equalization aid review committee subject to adjustment upon final determination of this appeal.

(7) Notwithstanding the provisions of any law to the contrary, out of the moneys appropriated by this section as aid to schools for the fiscal year ending June 30, 1962, the school district at Ely shall receive \$63,902.51 in addition to any other money to which it may be entitled by law and the other provisions of this subdivision.

Subd. 3. (1) School district as used in this subdivision means any school district in the state of Minnesota, however organized and wherever located, which is entitled to receive as school aids any moneys appropriated by this section, including a school district or unorganized territory.

(2) Notwithstanding the provisions of Minnesota Statutes 1957, Section 471.69 or Section 471.75, or of any other provision of law which by per capita limitation, mill rate limitation, or otherwise limits the power of a school district to incur any debt or to issue any warrant or order, a school district has the powers in this subdivision specifically conferred upon it and all powers incident and necessary to carrying out the purposes of this subdivision.

(3) (a) The board of

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any school district may borrow money upon negotiable tax anticipation warrants or certificates of indebtedness, in the manner and subject to the limitations set forth in paragraph 3(a) to (b) inclusive of this subdivision, for the purpose of anticipating general taxes theretofore levied by the district for school purposes, but the aggregate of such borrowing under this clause shall never exceed 50 percent of such taxes which are due and payable in the calendar year, and as to which taxes no penalty for nonpayment or delinquency has attached.

(b) The board may also borrow money, in the manner and subject to the limitations set forth in paragraph 3(a) to (b) inclusive of this subdivision, in anticipation of receipt of state aids for schools as defined in Minnesota Statutes and of federal school aids to be distributed by or through the state department of education.

The aggregate of such borrowings under this clause shall never exceed 75 percent of such aids which are receivable by said school district in the school year (from July 1 to June 30) in which the money is borrowed, as estimated and certified by the commissioner of education.

(4) The board may authorize and effect such borrowing, and may issue such warrants or certificates of indebtedness upon passage of a resolution, specifying the amount and purposes for which it deems such borrowing is necessary, which resolution shall be

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adopted by a vote of at least two-thirds of its members. The board shall fix the amount, date, maturity, form, denomination, and other details thereof, not inconsistent herewith, and shall fix the date and place for receipt of bids for the purchase thereof, and direct the clerk to give notice thereof.

(5) The proceeds of the current tax levies and future state aid receipts or other school funds which may become available, shall be applied to the extent necessary to repay such certificates or warrants and the full faith and credit of the school district shall be pledged to their payment. They shall mature not later than the anticipated date of receipt of school taxes for the current year or of the aids so anticipated as estimated by the commissioner, but in no event later than the last day of the school year in which issued. The certificates shall be sold at not less than par. The certificates shall bear interest after maturity until paid at the rate they bore before maturity, and any interest accruing before or after maturity shall be paid from any available school funds.

(6) The clerk of the board shall give notice of the proposed sale, as required by Minnesota Statutes, Chapter 475. At the time and place so fixed, such certificates may be sold by the board or its officers if authorized by the board, to the bidder who will agree to purchase the same on terms deemed most favorable to the district. Such certificates shall

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be executed and delivered as required by Minnesota Statutes, Chapter 475. The money so received shall be disbursed solely for the purposes for which such taxes are levied or aids are receivable. The purchaser of such certificates shall not be obligated to see to such application of the proceeds.

(7) Upon the determination of the several amounts of school aids and reimbursements to be paid to the respective school districts in the manner and at the times as otherwise provided by law, the commissioner of education, hereinafter referred to as the commissioner, shall forthwith determine whether there are sufficient moneys available in the appropriate funds to make such payments. If the moneys available are sufficient to pay such amounts in full, the commissioner shall make such payments in full in the manner otherwise provided by law. If the moneys so available are not sufficient to pay such amounts in full but are sufficient to pay 25 percent or more of the amounts, the commissioner shall make pro rata payments to the several school districts of the amounts of moneys available therefor in the manner provided by law for payments thereof in full. If pro rata payment is so made, or if no payment is made of the amount due to each school district, the commissioner shall forthwith certify to each school district the unpaid amount which will be paid by the state to such school district when moneys are available in the state treasury so to do. The document

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on which such certification is made, is hereinafter referred to as the certificate.

(8) Upon receipt of the certificate a school district may, by resolution of its school board, borrow money in an amount not exceeding the total amount which is shown on the certificate as the amount of moneys which is to be paid to the school district by the state as school aids or reimbursements. Such borrowing shall not be subject to the limit stated in clause 3(b). The school district may provide in the resolution (1) that it will pay interest on the moneys so borrowed at a rate not exceeding 5 percent per annum and assign the certificate and the moneys due thereunder as collateral to secure the payment of the moneys borrowed and that the full faith and credit of the school district is pledged to the payment of the moneys so borrowed, or (2) that it will assign the certificate and the moneys due thereunder at a discount which does not exceed an annual rate of 5 percent per annum on the total amount of the moneys assigned. Such assignment is effective only upon the registration thereof by the commissioner and thereafter, the commissioner shall pay the moneys due and so assigned to the assignee. The commissioner shall pay such moneys due as school aids or reimbursement whether unassigned, assigned as collateral, or assigned at a discount, as soon as funds are available for the payment thereof and in no event later than March 15, 1963. Such assignment of the certificate

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and the moneys at a discount shall be made only after calling for bids thereon when it is in the public interest so to do.

Subd. 4. Aids to Schools:

1961—\$17,164,020

The appropriation for fiscal year 1961 shall be distributed in accordance with Extra Session Laws 1959, Chapter 72, Section 12.

1959—\$1,472,400

The appropriation for fiscal year 1959 shall be distributed in accordance with M.S. 1957, Chapter 128, as amended.

The amounts appropriated by Sec. 12 are to be paid from the elementary and secondary school's share of funds derived from the occupational tax on iron ore to the extent available and the remainder from the income tax school fund.

Sec. 13. SCHOOL AID—  
COUNTIES A/C NON-TAX AREAS

Subd. 1. There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of \$19,000 payable July 1, 1961, and \$19,000 payable July 1, 1962, to each county now or hereafter having not less than 50 nor more than 55 whole or fractional congressional townships in which 45 percent or more of the area therein is within a federal or state forest area.

Subd. 2. There is further hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of \$29,000 payable July 1, 1961 and \$29,000 payable July 1, 1962 to each county

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now or hereafter having not less than 60 nor more than 65 whole or fractional congressional townships, and in which 85 percent or more of the area therein is within a federal or state forest area.

- Subd. 3. The money appropriated in Subd. 1 and 2 shall be paid to the county treasurer by the state treasurer to be placed in such county funds as the county board may direct and the other half to be paid by the county treasurer to the various school districts of the respective counties as follows:

(1) One-half thereof in the proportion that the federal or state lands within each district bear to the total area of federal and state lands within such county.

(2) The other one-half in the proportion that the average school attendance within each districts bears to the total average school attendance of such county for the year last preceding such payment.

- Subd. 4. The money appropriated by this section is not to be deducted from other forms of state aid to such counties and the school districts therein, but is in addition thereto.

Sec. 14. FOR GROSS EARNINGS AID AS PROVIDED BY EXTRA SESSION LAWS 1959, CHAP. 71, ARTICLE V, SECTION 28 .....

1,493,000      1,493,000

Sec. 15. EXEMPT LAND SPECIAL SCHOOL AID, PURSUANT TO EXTRA SESSION LAWS

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1959, CHAPTER 71, ARTICLE V, SECTION 30 .....	425,000	425,000
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Provided that none of the moneys appropriated by this Section shall be used for payment of aids to common school districts.

Sec. 16. FOR AID TO CERTAIN SCHOOL DISTRICTS AS PROVIDED BY MINNESOTA STATUTES 1957, SECTION 360.133	125,000	125,000
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Sec. 17. AID TO JUNIOR COLLEGES MAINTAINED BY PUBLIC SCHOOL DISTRICTS .....	877,800	965,700
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Notwithstanding any law to the contrary, the state board of education shall distribute to each public school district maintaining a junior college annually the sum of \$300 for each student in average daily attendance in said junior college pursuant to the provisions of Extra Session Laws 1959, Chapter 71, Article V, Section 34.

Provided that should the appropriation for either year be insufficient, the appropriation for the other year shall be available therefor. The amounts appropriated by Sections 14, 15, and 16 are to be paid from the Income Tax School Fund.

Sec. 18. EMPLOYEES COMPENSATION .....	3,059.59
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To be transferred by the State Auditor to the Department of Labor and Industry Compensation Revolving Fund, in payment of obligations incurred by the following agencies, in the amounts as indicated:

Bemidji State College \$ 75.47

Mankato State College 1,382.15

Moorhead State College 708.40

St. Cloud State College 709.73

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Winona State College 183.84

Provided that of the above amount, \$1,727.92 shall be paid from the Income Tax School Fund.

**Sec. 19. Unobligated balances on hand, cancelled into general revenue fund.** Except the revolving loan fund for maintenance of crippled children, and other disabled persons receiving vocational training, and the revolving fund for the On the Job Training Program, the unobligated balances on hand as of June 30, 1961, June 30, 1962, and June 30, 1963, in the several appropriations and accounts for which an appropriation is made herein, unless otherwise excepted in this act, are hereby cancelled into the general revenue fund for the fiscal years ending June 30, 1961, June 30, 1962, and June 30, 1963, and the unobligated balances on hand as of June 30, 1961, June 30, 1962, and June 30, 1963, appropriated out of any other funds, shall be cancelled into the fund from which they are appropriated as of June 30, 1961, June 30, 1962, and June 30, 1963.

**Sec. 20. Income, fees, receipts, deposited in general revenue fund.** Except as herein otherwise specifically provided, except income from swamp land trust fund, and except the income to the University of Minnesota and the income to the account of disabled persons receiving vocational training, and except all federal aid, contributions or reimbursements received for any account of any division, institution or department for which an appropriation is made in this act, all income, including fees or receipts of any nature whatsoever, shall be deposited in and for the benefit of the general revenue fund.

**Sec. 21. State college board salary schedule.**

The appropriation items in this act relating to maintenance and equipment to the state College Board insofar as the same includes appropriations for salaries shall be expended in accordance with the following conditions:

The following salary ranges, salary steps, salary merit increases for the college years in the biennium ending June 30, 1963 are established for professional-academic positions in all state colleges, except those of administrative personnel in the unclassified service of the state civil service:

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Group	I	II	III	IV	V
Minimum	7100	6200	5400	4800	3760
Step 1	7400	6500	5700	5100	3880
2	7700	6800	6000	5400	4000
3	8000	7100	6300	5700	4120
4	8300	7400	6600	6000	4240
5	8600	7700	6900	6300	4360
6	8900	8000	7200	6600	4480
7	9200	8300	7500	6900	4600
8	9500	8600	7800	7200	4720
9	9800	8900	8100	7500	4840
10	10,100	9200	8400	7800	4960
11	10,400	9500	8700	8100	5080

Groups I to V, inclusive, referred to above, mean the groups of professional-academic positions as established by the State College Board on November 29, 1949.

On September 1, 1961, each employee's salary shall be adjusted by two additional steps in the range and group to which his position is assigned.

On September 1, 1962, each employee's salary shall be adjusted by an additional step in the range and group to which his position is assigned.

The salary of each professional-academic employee, except one who is a member of the administrative personnel in the unclassified service of the state civil service, who is employed during a summer session of a state college, shall be fixed on the basis of a step in the appropriate range and group for his position, provided that no professional-academic employee shall receive more than \$1,250 for a summer session.

Provided that the salaries of the State College presidents or any officer or employe of the State College Board shall not exceed \$16,000 per year.

Sec. 22. **Merit increases.** Notwithstanding any

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provision of Minnesota Statutes 1957, Chapter 43, as amended, to the contrary, moneys appropriated by this act or any other appropriation law may be expended for merit increases and for longevity increases only in accordance with the following:

Merit increases and longevity increases shall not be granted during the fiscal year ending June 30, 1962, except that one merit or longevity increase may be granted to those persons who do not receive a pay increase by reason of the adoption of the civil service pay plan filed with the commissioner of administration to become effective on July 1, 1961.

These merit or longevity increases may be financed solely from departmental savings.

One merit increase for each eligible position below the maximum of its range, or one longevity increase above the maximum may be granted for each eligible position during the fiscal year ending June 30, 1963.

The moneys for the payment of the merit or longevity increases authorized shall be financed as follows:

In departments having from 1 to 20 employees, and in the departments receiving moneys in Sections 5, 6, 7, 8, and 9, sufficient moneys are provided by this act for the payment of the authorized merit and longevity increases.

In departments having from 21 to 50 employees, 75 percent of the moneys required have been provided in this act for the payment of authorized merit and longevity increases; the remaining 25 percent may be financed from departmental savings.

In departments having from 51 to 100 employees, 50 percent of the moneys required have been provided in this act for the payment of authorized merit and longevity increases; the remaining 50 percent may be financed from departmental savings.

In departments having from 101 and over employees, 40 percent of the moneys required have been provided in this act for the payment of authorized merit and longevity increases; the remaining 60 percent may be financed from departmental savings.

When a position at the maximum is vacated, an additional amount equal to one merit increase is available there-

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for to be expended only at the times prescribed in the previous paragraphs.

Merit increases granted pursuant to this section shall be on the basis of established standards, but in no event to exceed one merit increase per eligible employee per fiscal year.

None of the moneys appropriated by this act or any other law shall be expended during the fiscal year beginning July 1, 1962, for economic salary adjustments notwithstanding the provisions of law relating thereto to the contrary.

Sec. 23. None of the moneys appropriated by this act or any other appropriation law shall be expended in paying state officers or employees in the unclassified service for unused portions of annual leave allowances provided for by M. S. 1957, Section 351.12 for any greater period of time than is permitted state officers or employees in the classified service.

Sec. 24. **Approved complement.** Whenever an appropriation to any department or agency for salaries discloses an *approved complement*, that department or agency is limited in the employment of the number of full time equivalent persons including part time and seasonal employees indicated by such approved complement.

Additional employees over the number of the approved complement may be employed on the basis of public necessity or emergency with the written approval of the governor, but the governor shall not approve such additional personnel until he has consulted with the legislative advisory committee created by Laws 1943, Chapter 594, and such committee has made its recommendation upon the matter. Such recommendation shall be advisory only. Failure or refusal of the committee to make a recommendation promptly shall be deemed a negative recommendation. The provisions hereof shall extend to any other agency to which the present authority of the legislative advisory committee may be transferred, but shall be deemed to be repealed in case such authority shall be abolished.

Sec. 25. **Income tax school fund deficiencies.** (a) For the purpose of supplying deficiencies in the income tax school fund, the treasurer may temporarily borrow from other public funds not exceeding the aggregate \$120,000,000 in any year; provided that no fund shall be so impaired thereby that all proper demands thereon cannot be met. The power

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hereby conferred upon the treasurer is in addition to other similar authority conferred by law.

(b) Whenever it becomes necessary in order to meet the current demands upon the income tax school fund for the payment of warrants issued or to be issued against said fund pursuant to appropriations, and it appears that the deficiencies in such fund cannot be temporarily supplied under (a) hereof, the governor, after securing the recommendation of the legislative advisory committee, which shall be advisory only, or if there be no such committee, the governor, the state auditor, and the state treasurer, as a special committee, at any time prior to June 30, 1963, may authorize the issuance and sale of certificates of indebtedness of the state, payable out of said income tax school fund, in such amount as may be necessary to pay such warrants; such certificates to be signed by the state treasurer, attested and recorded by the state auditor and to be numbered serially and to be of such denomination and bear such dates of issue and maturity and such rate of interest as the governor or such special committee shall determine provided that no such certificates shall mature after the current fiscal year, and provided further, that the aggregate amount of such certificates at any time outstanding shall never exceed the difference between the total amount outstanding at any one time of the temporary borrowing under (a) and \$120,000,000. The failure or refusal of the advisory committee, if there be one, to make a recommendation promptly shall be deemed a negative recommendation. If funds are not available to retire any such certificate at maturity, the same may be refunded by the issuance of new certificates or may be extended by the agreement of the holders thereof. Certificates issued and sold pursuant to the authorization of this act shall be retired out of the receipts of the income tax school fund appropriated to the payment of the warrants issued against said fund but taken up with the proceeds of such certificates. Such sums as may be necessary are hereby appropriated from the income tax school fund and made available for the biennium ending June 30, 1963, to pay the interest upon such certificates.

(c) The state board of investment, or its successor in authority, is hereby authorized to purchase the certificates of indebtedness herein authorized for any fund which it is authorized to invest, provided, it shall not purchase any such certificates bearing interest at a rate of less than one and one-half percent per annum.

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Sec. 26. None of the moneys appropriated by this act or any other law shall be expended in making any refund where the amount thereof is \$1.00 or less.

Approved June 9, 1961.

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EXTRA SESSION

CHAPTER 90—S. F. No. 73

[Not Coded]

*An act relating to sewage disposal and control and providing for the establishment of a sewer district for the villages of Brooklyn Park, Blaine, Mounds View, Spring Lake Park and the cities of Coon Rapids and Fridley.*

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

**Section 1. North suburban sanitary sewer district act; declaration of purpose; citation.** Subdivision 1. That it is the purpose of the legislature of the state of Minnesota to carry out with due speed and in a timely manner a policy of sanitation and water pollution prevention upon sound scientific principles for the protection of public health, safety and general welfare, and to authorize for such purposes a system of sanitary sewage collection, and the creation therefor of a sanitary sewer district as an agency of the state to serve an area in need thereof.

Subd. 2. The legislature of the state of Minnesota finds that by virtue of location, topography, soil content, governmental structure, and rapid growth, the existing units of government lying northerly of the cities of Minneapolis and St. Paul, located in the counties of Anoka, Hennepin and Ramsey, and consisting of the villages of Brooklyn Park, Blaine, Mounds View, Spring Lake Park, and the cities of Coon Rapids and Fridley, are in urgent need of a system of sewage collection, and are unable without the establishment of a sanitary sewer district therein to efficiently and effectively, and with timely and feasible means meet within their area their urgent and immediate needs for sewage collection, treatment and disposal. That such district, when established, and its benefits can serve also to the use and needs of other municipalities contiguous or adjacent thereto.

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