

of the amounts permitted by Section 353.37, payment to the association by the representative of his estate in an amount equivalent to the aggregate of such excess earnings for the resumed public service shall be considered in full satisfaction and discharge of the indebtedness of the estate of said decedent therefor to the association.

Approved May 14, 1963.

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CHAPTER 700—H. F. No. 1875

[Not Coded]

*An act pertaining to any city of the first class comprising a part of a sanitary district authorized pursuant to the provisions of Minnesota Statutes 1961, Chapter 455, as amended; authorizing any such city to prepare and adopt a study and plan for sewage service within and without its boundaries; authorizing such city to expend moneys for the preparation of such study and plan and to borrow a sum of money not to exceed \$300,000 for said purposes and, therefor, to issue and sell, from time to time, without submission of the question of the issuance or the sale to a vote of the electorate, the general obligation bonds of such city in said limited sum not to exceed \$300,000, and to secure payment of said bonds by the pledge of the full faith and credit of such city.*

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

**Section 1. Cities of first class; sewer service study and plan.**

The governing body of any city of the first class comprising a part of the sanitary district established pursuant to the provisions of Minnesota Statutes 1961, Chapter 445, as amended, may prepare and adopt a study and plan for sewage service of an area within and without its boundaries. Any such city of the first class, for the purpose of preparing such study and plan, may expend moneys for the payment of costs and expenses incurred in connection with preparing such study and plan, and in connection with the expenditure heretofore authorized and for the purposes aforesaid, such city is hereby authorized and empowered to borrow a sum not to exceed \$300,000 and therefor to issue and sell, from time to time, without the submission of the question of the issuance or sale to a vote of the electorate of such city, the general obligation bonds of such city for the aforesaid sum and amount of not to exceed \$300,000, and to secure payment of such

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general obligation bonds by the pledge of the full faith and credit of said city therefor.

Sec. 2. The aforesaid hereby authorized general obligation bonds of such city, for said purposes, in said sum and amount not to exceed \$300,000, shall be issued and sold in accordance with Minnesota Statutes 1961, Chapter 475, as amended, except, as aforesaid, that no election nor vote of the electors of said city thereon shall be required for the authorization of the issuance or sale of such bonds or for the issuance or sale of any of the same. Such bonds shall be in such form and bear interest at such rate, not to exceed six percent per annum, as the council of such city may prescribe, and shall be sold by the council of such city to the highest bidder therefor after at least two weeks' published notice of the time and place for receiving bids. Said bonds shall be issued to mature serially, the first installment of which shall become due and payable in not more than three years and the last of which shall become due and payable in not more than thirty years from the date of their issue. The proceeds received from the sale of such bonds shall be deposited by such city in a separate fund and the moneys shall be disbursed therefrom for the purposes aforesaid in the same manner as other funds of such city are disbursed, but only for the purposes herein expressed. The amount of such bonds from time to time outstanding shall not be considered in determining the net indebtedness of such city for the purpose of borrowing money or other purposes, and the amount of such bonds or certificates of indebtedness shall be excluded in determining the debt limit of such city.

Sec. 3. Neither the sale of such hereby authorized bonds nor the receipt of the proceeds thereof, nor the expenditures of the same hereunder, nor any tax levy required for the payment of such bonds, shall be included within the definition thereof or subject to any statutory or charter limitation otherwise imposed on such city's net indebtedness, expenditures, appropriations or taxing authority, and hereby shall be deemed effectively excepted from the same.

Sec. 4. Any such city of the first class may contract with any municipality or other legal entity beyond the boundaries of such city whether the municipality be adjacent or not, for participation by such other municipality or legal entity in the costs of such study or plan.

Sec. 5. Any such study and plan developed pursuant to the provisions of this act may be prepared in cooperation with any affected municipality or other legal entity. Any such plan prepared

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pursuant to the provisions of this act shall be filed with the Water Pollution Control Commission and any affected municipality or other legal entity.

Sec. 6. Any income received for the purposes specified in this act resulting from any agreements entered into pursuant to the provisions of said act shall be paid into a sewer planning fund and shall be applied to the payment of principal and interest of the obligations authorized hereunder and no other purpose.

Approved May 14, 1963.

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CHAPTER 701—S. F. No. 1083

*An act relating to school districts and limitations upon the tax levies thereof; amending Minnesota Statutes 1961, Section 275.12, Subdivision 1.*

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

Section 1. Minnesota Statutes 1961, Section 275.12, Subdivision 1, is amended to read:

275.12 **Tax levy, school districts; limits.** Subdivision 1. The total amount of taxes levied by and for any school district in the state for all general and special school purposes including the county school tax of one mill, required to be levied by the statute, but exclusive of any state levy, income tax apportionment or other aids, shall not exceed in any year the greater of: (a) \$315 per resident pupil unit in average daily attendance in kindergarten and grades one to twelve, inclusive, plus the amount of any levies for bonds issued and interest thereon, such pupil units in average daily attendance to be computed in accordance with sections 124.17 and 124.24, or (b) the following amounts per capita of the population of the district: in districts having a population in excess of 5,000 and operating schools in more than four villages or cities, the greater of \$540,000 or \$105 per capita; in districts not within the foregoing class but having a population in excess of 5,000, \$92 per capita, but not less than \$142,000 plus \$73 per capita; in districts having a population of *not more than 5,000 or and not less than 2,501*, \$110,000 plus \$81 per capita; *in districts having a population of 2,500 or less, \$120,000 plus \$81 per capita.* If the levy made by any district exceeds the amount permitted by clause (a) but does not exceed the amount of the limitation contained in clause (b), at least \$3.50 per capita shall be set aside in a special fund known as the

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