

of the city council of the city of Crystal and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 10, 1963.

CHAPTER 620—S. F. No. 1807

[Not Coded]

An act relating to Special School District No. 6; fixing the boundaries of the district.

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

Section 1. **Special School District No. 6; boundaries.** Notwithstanding the provisions of any other law to the contrary, the boundary of Special School District No. 6, South St. Paul, is fixed and shall remain as it existed on April 16, 1963.

Sec. 2. This act is effective when approved by a majority of the board of education of Special School District No. 6, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 10, 1963.

CHAPTER 621—H. F. No. 159

An act relating to the annexation of certain unincorporated property to a municipality; amending Minnesota Statutes 1961, Section 414.03, Subdivisions 4 and 5.

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

Section 1. Minnesota Statutes 1961, Section 414.03, Subdivision 4, is amended to read:

Subd. 4. **Municipalities; annexation of unincorporated property; commission's order.** Pursuant to a hearing on a petition for the annexation of unincorporated property to a village or city, or if no hearing was required under the foregoing provisions, the commission shall approve if it finds that the property to be annexed is now, or is about to become, urban or suburban in character. The commission may, in any case, approve the annexation if it finds that municipal government of the area is required to protect the public health, safety and welfare in reference to plat control or land development and con-

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struction which may be reasonably expected to occur within a reasonable time thereafter and if it finds that the annexation would be to the best interest of the village or city and of the territory affected. As a guide in arriving at a determination, the commission shall make findings as to the following factors: (1) The relative population of the annexing area to the annexed territory. (2) The relative area of the two territories. (3) The relative assessed valuation. (4) The past and future probable expansion of the annexing area with respect to population increase and construction. (5) The availability of space to accommodate that expansion. (6) Whether the taxes can be reasonably expected to increase in the annexed territory, and whether the expected increase will be proportional to the expected benefit inuring to the annexed territory as a result of the annexation. (7) The presence of an existing or reasonably anticipated need for governmental services in the annexed territory such as water system, sewage disposal, zoning, street planning, police and fire protection. (8) The feasibility and practicability of the annexing territory to provide these governmental services presently or when they become necessary. (9) The existence of all or a part of an organized township within the area to be annexed and its ability and necessity of continuing after the annexation. (10) The adequacy of the township form of government to cope with problems of urban or suburban growth in the area proposed for annexation. If a complete organized township is included within the area to be annexed, its residents shall remain liable for any existing indebtedness of the township existing prior to the annexation. In the event only a portion of an organized township is ultimately included in the area to be annexed, the commission shall apportion such property and obligations in such manner as shall be just and equitable having in view the value of the township property, if any, located in the area to be annexed, the assessed value of all the taxable property in the township, both within and without the area to be annexed, the indebtedness, and the taxes due and delinquent. The commission shall have authority to alter the boundaries of the area to be annexed by increasing or decreasing the area so as to include only that property which is now, or is about to become, suburban in character or to add property of such character contiguous to the area proposed for annexation or to preserve or improve the symmetry of the area. The petition shall be denied if it appears that the primary motive for the annexation is to increase revenues for the annexing municipality and such increase bears no reasonable relation to the value of benefits conferred upon the annexed area. The order of the commission shall be issued within a reasonable time after the termination of the hearing. ~~If the order approves annexation it shall be final if the area proposed for annexation is located within the metropolitan area as defined in Minnesota Statutes, Section 473.02, Subdivision 5.~~ If the order denies annexation, it shall be final. If the

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order approves annexation ~~in any other area in Minnesota~~, and fixes a date for an election as provided hereafter in subdivision 6 5, it shall be an intermediate, non-appealable order.

Sec. 2. Minnesota Statutes 1961, Section 414.03, Subdivision 5, is amended to read:

Subd. 5. **Annexation election.** Where the petition for annexation has not been initiated by a majority of the land-owners in number within the area to be annexed, ~~and the area proposed for annexation is not located within the metropolitan area as defined in Minnesota Statutes, Section 473.02, Subdivision 5;~~ the order of the commission affirming the petition for annexation shall fix a day, not less than twenty days nor more than forty days, after the entry of such an order, when an election shall be held at a place designated by the commission within the area to be annexed. The secretary shall cause a copy of the order affirming the petition, including the notice of the election, to be posted not less than 20 days before the election in three public places in the area to be annexed, and shall cause notice of the election to be published two successive weeks in a newspaper qualified as medium of official and legal publication, of general circulation, in the area to be annexed. The commission shall also appoint three electors resident in the area to act as judges of election, who shall be supervised in their duties by the commission, and shall fix the time, not less than six hours and until at least 7 o'clock p. m., when the polls shall be open at the election. The judges shall conduct the election so far as practicable in accordance with the laws regulating the election of town officers. Only voters residing within the territory described in the commission's order shall be entitled to vote. The ballot shall bear the words "For Annexation" and "Against Annexation" with a square before each of the phrases in one of which the ~~owner~~ voter shall make a cross to express his choice. The ballots and election supplies shall be provided and the election judges shall be paid by the petitioners or annexing municipality. Immediately upon the completion of the counting of the ballots, the judges of the election shall make a signed and verified certificate declaring the time and place of holding the election, that they have canvassed the ballots cast, and the number cast both for and against the proposition, and they shall then file the certificate with the secretary of the commission. If the certificate shows the majority of the votes cast were "For Annexation" the commission shall execute an annexation order. The secretary shall attach the certificate to the original petition, the original order affirming the petition as submitted or as amended in the order, and the original proofs of the posting of the election notice, and the annexation order.

Sec. 3. *Sections 1 and 2 shall apply to all petitions now*

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pending or hereafter filed before the Minnesota Municipal Commission.

Approved May 10, 1963.

CHAPTER 622—H. F. No. 156

An act relating to clerks of district court; establishing salary classifications therefor; amending Minnesota Statutes 1961, Sections 485.012, Subdivision 1; and 485.013.

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

Section 1. Minnesota Statutes 1961, Section 485.012, Subdivision 1, is amended to read:

485.012 **District courts; clerks; salary classifications.** Subdivision 1. For the purpose of fixing said salary such counties are hereby classed as follows:

Counties having a population of less than 7,500 shall be known as Class A; counties having a population of 7,500 and less than 12,500 shall be known as Class B; counties having a population of 12,500 and less than 20,000 shall be known as Class C; counties having a population of 20,000 and less than 30,000 shall be known as Class D; counties having a population of 30,000 and less than 40,000 shall be known as Class E; counties having a population of 40,000 and less than 45,000 shall be known as Class F; counties having a population of 45,000 and less than 50,000 shall be known as Class G; counties having a population of 50,000 and less than 55,000 shall be known as Class H; counties having a population of 55,000 and less than 60,000 shall be known as Class I; *counties having a population of 60,000 and less than 65,000 shall be known as Class J; counties having a population of 65,000 and less than 70,000 shall be known as Class K; counties having a population of 70,000 and less than 80,000 shall be known as Class L.*

Sec. 2. Minnesota Statutes 1961, Section 485.013, is amended to read:

485.013 **Compensation schedule.** Such clerks of the district court shall receive, in full compensation for all services rendered by them for their respective counties, except in real estate tax proceedings, in lieu of the fees now provided by law, a yearly salary, payable monthly out of the county revenue fund by the treasurer of the county upon the warrant of the county auditor, as follows: Clerk

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