

209.18

ARTICLE 6

209.19

FACILITIES, FUND TRANSFERS, AND ACCOUNTING

209.20 Section 1. Minnesota Statutes 2018, section 121A.335, subdivision 3, is amended to read:

209.21 Subd. 3. **Frequency of testing.** (a) The plan under subdivision 2 must include a testing
209.22 schedule for every building serving prekindergarten through grade 12 students. The schedule
209.23 must require that each building be tested at least once every five years. A school district or
209.24 charter school must begin testing school buildings by July 1, 2018, and complete testing of
209.25 all buildings that serve students within five years.

209.26 (b) A school district or charter school that finds lead at a specific location providing
209.27 cooking or drinking water within a facility must formulate, make publicly available, and
209.28 implement a plan that is consistent with established guidelines and recommendations to
209.29 ensure that student exposure to lead is minimized. This includes, when a school district or
209.30 charter school finds the presence of lead at a level where action should be taken as set by
210.1 the guidance in any water source that can provide cooking or drinking water, immediately
210.2 shutting off the water source or making it unavailable until the hazard has been minimized.

210.3 **EFFECTIVE DATE.** This section is effective July 1, 2019.

210.4 Sec. 2. Minnesota Statutes 2018, section 121A.335, subdivision 5, is amended to read:

210.5 Subd. 5. **Reporting.** A school district or charter school that has tested its buildings for
210.6 the presence of lead shall make the results of the testing available to the public for review
210.7 and must notify parents of the availability of the information. School districts and charter
210.8 schools must follow the actions outlined in guidance from the commissioners of health and
210.9 education. If a test conducted under subdivision 3, paragraph (a), reveals the presence of
210.10 lead, the school district or charter must, within 30 days of receiving the test result, directly
210.11 notify parents of the test result and whether the level of lead was above or below the level
210.12 set in guidance by the state. The school district or charter school must make the water source
210.13 unavailable until the hazard has been minimized.

210.14 **EFFECTIVE DATE.** This section is effective July 1, 2019.

106.1

ARTICLE 6

106.2

FACILITIES, FUND TRANSFERS, AND ACCOUNTING

106.3 Section 1. Minnesota Statutes 2018, section 121A.335, subdivision 3, is amended to read:

106.4 Subd. 3. **Frequency of testing.** (a) The plan under subdivision 2 must include a testing
106.5 schedule for every building serving prekindergarten through grade 12 students. The schedule
106.6 must require that each building be tested at least once every five years. A school district or
106.7 charter school must begin testing school buildings by July 1, 2018, and complete testing of
106.8 all buildings that serve students within five years.

106.9 (b) A school district or charter school that finds lead at a specific location providing
106.10 cooking or drinking water within a facility must formulate, make publicly available, and
106.11 implement a plan that is consistent with established guidelines and recommendations to
106.12 ensure that student exposure to lead is minimized. This includes, when a school district or
106.13 charter school finds the presence of lead at a level where action should be taken as set by
106.14 the guidance in any water source that can provide cooking or drinking water, immediately
106.15 shutting off the water source or making it unavailable until the hazard has been minimized.

106.16 Sec. 2. Minnesota Statutes 2018, section 121A.335, subdivision 5, is amended to read:

106.17 Subd. 5. **Reporting.** A school district or charter school that has tested its buildings for
106.18 the presence of lead shall make the results of the testing available to the public for review
106.19 and must notify parents of the availability of the information. School districts and charter
106.20 schools must follow the actions outlined in guidance from the commissioners of health and
106.21 education. If a test conducted under subdivision 3, paragraph (a), reveals the presence of
106.22 lead above a level where action should be taken as set by the guidance, the school district
106.23 or charter must, within 30 days of receiving the test result, either remediate the presence of
106.24 lead to below the level set in guidance, verified by retest, or directly notify parents of the
106.25 test result. The school district or charter school must make the water source unavailable
106.26 until the hazard has been minimized.

106.27 Sec. 3. **[121A.337] NOTIFICATION OF ENVIRONMENTAL HAZARDS.**

106.28 If the Department of Health or Pollution Control Agency notifies a school district, charter
106.29 school, or nonpublic school of environmental hazards that may affect the health of students
106.30 or school staff, the school must notify school staff, students, and parents of the hazards as
106.31 soon as practicable. The notice must include direction on how to obtain additional information
106.32 about the hazard, including any actions that may reduce potential harm to those affected by
106.33 the hazard.

210.15 Sec. 3. Minnesota Statutes 2018, section 123B.52, subdivision 6, is amended to read:

210.16 Subd. 6. **Disposing of surplus school computers.** (a) Notwithstanding section 471.345,
210.17 governing school district contracts made upon sealed bid or otherwise complying with the
210.18 requirements for competitive bidding, other provisions of this section governing school
210.19 district contracts, or other law to the contrary, a school district under this subdivision may
210.20 dispose of school computers, including a tablet device.

210.21 (b) A school district may dispose of a surplus school computer and related equipment
210.22 if the district disposes of the surplus property by conveying the property and title to:

210.23 (1) another school district;

210.24 (2) the state Department of Corrections;

210.25 (3) the Board of Trustees of the Minnesota State Colleges and Universities; ~~or~~

210.26 (4) the family of a student residing in the district whose total family income meets the
210.27 federal definition of poverty.

210.28 (c) If surplus school computers are not disposed of under paragraph (b), upon adoption
210.29 of a written resolution of the school board, when updating or replacing school computers,
210.30 including tablet devices, used primarily by students, a school district may sell or give used
210.31 computers or tablets to qualifying students at the price specified in the written resolution.

211.1 A student is eligible to apply to the school board for a computer or tablet under this
211.2 subdivision if the student is currently enrolled in the school and intends to enroll in the
211.3 school in the year following the receipt of the computer or tablet. If more students apply
211.4 for computers or tablets than are available, the school must first qualify students whose
211.5 families are eligible for free or reduced-price meals, and then dispose of the remaining
211.6 computers or tablets by lottery.

211.7 **EFFECTIVE DATE.** This section is effective July 1, 2019.

211.8 Sec. 4. Minnesota Statutes 2018, section 123B.571, is amended to read:

211.9 123B.571 RADON TESTING.

211.10 Subdivision 1. **Voluntary Plan.** The commissioners of health and education may jointly
211.11 develop a plan to encourage school districts and charter schools to accurately and efficiently
211.12 test for the presence of radon in public school buildings serving students in kindergarten
211.13 through grade 12. For purposes of this section, buildings also include the Minnesota State
211.14 Academies in Faribault and the Perpich Center for Arts Education in Golden Valley. To the
211.15 extent possible, the commissioners shall must base the plan on the standards established by
211.16 the United States Environmental Protection Agency.

107.1 Sec. 4. Minnesota Statutes 2018, section 123B.52, subdivision 6, is amended to read:

107.2 Subd. 6. **Disposing of surplus school computers.** (a) Notwithstanding section 471.345,
107.3 governing school district contracts made upon sealed bid or otherwise complying with the
107.4 requirements for competitive bidding, other provisions of this section governing school
107.5 district contracts, or other law to the contrary, a school district under this subdivision may
107.6 dispose of school computers, including a tablet device.

107.7 (b) A school district may dispose of a surplus school computer and related equipment
107.8 if the district disposes of the surplus property by conveying the property and title to:

107.9 (1) another school district;

107.10 (2) the state Department of Corrections;

107.11 (3) the Board of Trustees of the Minnesota State Colleges and Universities; ~~or~~

107.12 (4) the family of a student residing in the district whose total family income meets the
107.13 federal definition of poverty; ~~or~~

107.14 (5) a charitable organization under section 501(c)(3) of the Internal Revenue Code that
107.15 is registered with the attorney general's office for educational use.

107.16 (c) If surplus school computers are not disposed of under paragraph (b), upon adoption
107.17 of a written resolution of the school board, when updating or replacing school computers,
107.18 including tablet devices, used primarily by students, a school district may sell or give used
107.19 computers or tablets to qualifying students at the price specified in the written resolution.

107.20 A student is eligible to apply to the school board for a computer or tablet under this
107.21 subdivision if the student is currently enrolled in the school and intends to enroll in the
107.22 school in the year following the receipt of the computer or tablet. If more students apply
107.23 for computers or tablets than are available, the school must first qualify students whose
107.24 families are eligible for free or reduced-price meals, and then dispose of the remaining
107.25 computers or tablets by lottery.

107.26 **EFFECTIVE DATE.** This section is effective July 1, 2019.

211.17 Subd. 2. **Radon testing.** A school district may include radon testing as a part of its
211.18 ten-year facility plan under section 123B.595, subdivision 4. If a school district receives
211.19 authority to use long-term facilities maintenance revenue to conduct radon testing, the
211.20 district shall conduct the testing according to the radon testing plan developed by the
211.21 commissioners of health and education.

211.22 Subd. 3. **Reporting.** A school district ~~that has tested~~ or charter school must test its school
211.23 buildings for the presence of radon ~~shall~~ and must report the results of its tests to the
211.24 Department of Health in a form and manner prescribed by the commissioner of health. A
211.25 school district that has tested for the presence of radon ~~shall~~ must also report the results of
211.26 its testing at a school board meeting, make the results of the testing available to the public
211.27 for review, and notify parents of the availability of the information.

211.28 Subd. 4. **Testing requirements.** (a) A school district or charter school must adopt a
211.29 radon testing schedule requiring a short-term or long-term test be conducted in every building
211.30 serving students at least once every five years. A school district or charter school must begin
211.31 testing school buildings by July 1, 2020, and complete testing of all buildings that serve
211.32 students within five years.

212.1 (b) Tests must be conducted with certified radon testing devices as listed by either the
212.2 National Radon Proficiency Program or the National Radon Safety Board. Tests must test
212.3 all frequently occupied rooms with ground contact and rooms immediately above unoccupied
212.4 spaces that are in contact with the ground, such as crawl spaces and tunnels.

212.5 (c) If a radon test shows that a frequently occupied room has a radon level at or above
212.6 four picocuries per liter, a school district or charter school must mitigate or take corrective
212.7 action, and retest after corrective measures to show radon reductions. A school district or
212.8 charter school must follow the Radon Mitigation Standards for Schools and Large Buildings
212.9 released by the American National Standards Institute/American Association of Radon
212.10 Scientists and Technologists. The district or charter school must conduct follow-up testing
212.11 within two years.

212.12 **EFFECTIVE DATE.** This section is effective July 1, 2019.

212.13 Sec. 5. [123B.651] ENERGY USE REDUCTION AND REPORTING FOR PUBLIC
212.14 SCHOOLS.

212.15 Beginning October 1, 2019, each public school or school district reporting on behalf of
212.16 a public school may enter and maintain monthly utility consumption data into the Minnesota
212.17 B3 benchmarking program for all buildings under its custodial control. Reporting by a third
212.18 party, including automatic reporting by an electric or gas utility, may be used to meet this
212.19 requirement. A school or school district must not be penalized for failure to comply with
212.20 this section.

212.21 Sec. 6. Minnesota Statutes 2018, section 124E.03, subdivision 2, is amended to read:

107.27 Sec. 5. [123B.651] ENERGY USE REDUCTION AND REPORTING FOR PUBLIC
107.28 SCHOOLS.

107.29 Beginning October 1, 2019, each public school or school district reporting on behalf of
107.30 a public school must enter and maintain monthly utility consumption data into the Minnesota
107.31 B3 benchmarking program for all buildings under its custodial control. Reporting by a third
107.32 party, including automatic reporting by an electric or gas utility, may be used to meet this
108.1 requirement. A school or school district must not be penalized for failure to comply with
108.2 this section.

- 212.22 Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall
212.23 meet all federal, state, and local health and safety requirements applicable to school districts.
- 212.24 (b) A school must comply with statewide accountability requirements governing standards
212.25 and assessments in chapter 120B.
- 212.26 (c) A charter school must comply with the Minnesota Public School Fee Law, sections
212.27 123B.34 to 123B.39.
- 212.28 (d) A charter school is a district for the purposes of tort liability under chapter 466.
- 212.29 (e) A charter school must comply with the Pledge of Allegiance requirement under
212.30 section 121A.11, subdivision 3.
- 213.1 (f) A charter school and charter school board of directors must comply with chapter 181
213.2 governing requirements for employment.
- 213.3 (g) A charter school must comply with continuing truant notification under section
213.4 260A.03.
- 213.5 (h) A charter school must develop and implement a teacher evaluation and peer review
213.6 process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place
213.7 students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d).
213.8 The teacher evaluation process in this paragraph does not create any additional employment
213.9 rights for teachers.
- 213.10 (i) A charter school must adopt a policy, plan, budget, and process, consistent with
213.11 section 120B.11, to review curriculum, instruction, and student achievement and strive for
213.12 the world's best workforce.
- 213.13 (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act,
213.14 sections 121A.40 to 121A.56.
- 213.15 (k) A charter school is subject to and must comply with the uniform municipal contracting
213.16 law according to section 471.345 in the same manner as school districts.
- 213.17 **EFFECTIVE DATE.** This section is effective July 1, 2019.

108.3 Sec. 6. **Minnesota Statutes 2018, section 125B.26, subdivision 4, is amended to read:**

- 108.4 Subd. 4. **District aid.** ~~For fiscal year 2006 and later,~~ A district, charter school, or
108.5 intermediate school district's Internet access equity aid equals the district, charter school,
108.6 or intermediate school district's approved cost for the previous fiscal year according to
108.7 subdivision 1 ~~exceeding \$16 times the district's adjusted pupil units for the previous fiscal~~
108.8 ~~year or no reduction if the district is part of an organized telecommunications access cluster.~~
108.9 Equity aid must be distributed to the telecommunications access cluster for districts, charter
108.10 schools, or intermediate school districts that are members of the cluster or to individual

213.18 Sec. 7. Minnesota Statutes 2018, section 126C.40, subdivision 1, is amended to read:

213.19 Subdivision 1. **To lease building or land.** (a) When an independent or a special school
213.20 district or a group of independent or special school districts finds it economically
213.21 advantageous to rent or lease a building or land for any instructional purposes or for school
213.22 storage or furniture repair, and it determines that the operating capital revenue authorized

108.11 districts, charter schools, or intermediate school districts not part of a telecommunications
108.12 access cluster.

108.13 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

108.14 Sec. 7. Minnesota Statutes 2018, section 125B.26, subdivision 5, is amended to read:

108.15 Subd. 5. **Telecommunications/Internet access services for nonpublic schools.** (a)
108.16 Districts shall provide each year upon formal request by or on behalf of a nonpublic school,
108.17 not including home schools, located in that district or area, ongoing or recurring
108.18 telecommunications access services to the nonpublic school either through existing district
108.19 providers or through separate providers.

108.20 (b) The amount of district aid for telecommunications access services for each nonpublic
108.21 school under this subdivision equals the lesser of:

108.22 (1) ~~90 percent of the nonpublic school's approved cost for the previous fiscal year~~
108.23 ~~according to subdivision 1 exceeding \$10 for fiscal year 2006 and later times the number~~
108.24 ~~of weighted pupils enrolled at the nonpublic school as of October 1 of the previous school~~
108.25 ~~year; or~~

108.26 (2) the product of the district's aid per pupil unit according to subdivision 4 times the
108.27 number of weighted pupils enrolled at the nonpublic school as of October 1 of the previous
108.28 school year.

108.29 (c) For purposes of this subdivision, nonpublic school pupils shall be weighted by grade
108.30 level using the weighting factors defined in section 126C.05, subdivision 1.

108.31 (d) Each year, a district providing services under paragraph (a) may claim up to five
108.32 percent of the aid determined in paragraph (b) for costs of administering this subdivision.
109.1 No district may expend an amount for these telecommunications access services which
109.2 exceeds the amount allocated under this subdivision. The nonpublic school is responsible
109.3 for the Internet access costs not covered by this section.

109.4 (e) At the request of a nonpublic school, districts may allocate the amount determined
109.5 in paragraph (b) directly to the nonpublic school to pay for or offset the nonpublic school's
109.6 costs for telecommunications access services; however, the amount allocated directly to the
109.7 nonpublic school may not exceed the actual amount of the school's ongoing or recurring
109.8 telecommunications access costs.

109.9 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2020 and later.

213.23 under section 126C.10, subdivision 13, is insufficient for this purpose, it may apply to the
213.24 commissioner for permission to make an additional capital expenditure levy for this purpose.
213.25 An application for permission to levy under this subdivision must contain financial
213.26 justification for the proposed levy, the terms and conditions of the proposed lease, and a
213.27 description of the space to be leased and its proposed use.

213.28 (b) The criteria for approval of applications to levy under this subdivision must include:
213.29 the reasonableness of the price, the appropriateness of the space to the proposed activity,
213.30 the feasibility of transporting pupils to the leased building or land, conformity of the lease
213.31 to the laws and rules of the state of Minnesota, and the appropriateness of the proposed
213.32 lease to the space needs and the financial condition of the district. The commissioner must
213.33 not authorize a levy under this subdivision in an amount greater than the cost to the district
214.1 of renting or leasing a building or land for approved purposes. The proceeds of this levy
214.2 must not be used for custodial or other maintenance services. A district may not levy under
214.3 this subdivision for the purpose of leasing or renting a district-owned building or site to
214.4 itself.

214.5 (c) For agreements finalized after July 1, 1997, a district may not levy under this
214.6 subdivision for the purpose of leasing: (1) a newly constructed building used primarily for
214.7 regular kindergarten, elementary, or secondary instruction; or (2) a newly constructed
214.8 building addition or additions used primarily for regular kindergarten, elementary, or
214.9 secondary instruction that contains more than 20 percent of the square footage of the
214.10 previously existing building.

214.11 (d) Notwithstanding paragraph (b), a district may levy under this subdivision for the
214.12 purpose of leasing or renting a district-owned building or site to itself only if the amount is
214.13 needed by the district to make payments required by a lease purchase agreement, installment
214.14 purchase agreement, or other deferred payments agreement authorized by law, and the levy
214.15 meets the requirements of paragraph (c). A levy authorized for a district by the commissioner
214.16 under this paragraph may be in the amount needed by the district to make payments required
214.17 by a lease purchase agreement, installment purchase agreement, or other deferred payments
214.18 agreement authorized by law, provided that any agreement include a provision giving the
214.19 school districts the right to terminate the agreement annually without penalty.

214.20 (e) Except as provided in paragraph (j), the total levy under this subdivision for a district
214.21 for any year must not exceed \$212 times the adjusted pupil units for the fiscal year to which
214.22 the levy is attributable.

214.23 (f) For agreements for which a review and comment have been submitted to the
214.24 Department of Education after April 1, 1998, the term "instructional purpose" as used in
214.25 this subdivision excludes expenditures on stadiums.

214.26 (g) The commissioner of education may authorize a school district to exceed the limit
214.27 in paragraph (e) if the school district petitions the commissioner for approval. The
214.28 commissioner shall grant approval to a school district to exceed the limit in paragraph (e)
214.29 for not more than five years if the district meets the following criteria:

- 214.30 (1) the school district has been experiencing pupil enrollment growth in the preceding
214.31 five years;
- 214.32 (2) the purpose of the increased levy is in the long-term public interest;
- 214.33 (3) the purpose of the increased levy promotes colocation of government services; and
- 215.1 (4) the purpose of the increased levy is in the long-term interest of the district by avoiding
215.2 over construction of school facilities.
- 215.3 (h) A school district that is a member of an intermediate school district or other
215.4 cooperative unit under section 123A.24, subdivision 2, or a joint powers district under
215.5 section 471.59 may include in its authority under this section the costs associated with leases
215.6 of administrative and classroom space for intermediate school district programs of the
215.7 intermediate school district or other cooperative unit under section 123A.24, subdivision
215.8 2, or joint powers district under section 471.59. This authority must not exceed \$65 times
215.9 the adjusted pupil units of the member districts. This authority is in addition to any other
215.10 authority authorized under this section. The intermediate school district, other cooperative
215.11 unit, or joint powers district may specify which member districts will levy for lease costs
215.12 under this paragraph.
- 215.13 ~~(i) In addition to the allowable capital levies in paragraph (a), for taxes payable in 2012~~
215.14 ~~to 2023, a district that is a member of the "Technology and Information Education Systems"~~
215.15 ~~data processing joint board, that finds it economically advantageous to enter into a lease~~
215.16 ~~agreement to finance improvements to a building and land for a group of school districts~~
215.17 ~~or special school districts for staff development purposes, may levy for its portion of lease~~
215.18 ~~costs attributed to the district within the total levy limit in paragraph (e). The total levy~~
215.19 ~~authority under this paragraph shall not exceed \$632,000.~~
- 215.20 ~~(j) (i) Notwithstanding paragraph (a), a district may levy under this subdivision for the~~
215.21 ~~purpose of leasing administrative space if the district can demonstrate to the satisfaction of~~
215.22 ~~the commissioner that the lease cost for the administrative space is no greater than the lease~~
215.23 ~~cost for instructional space that the district would otherwise lease. The commissioner must~~
215.24 ~~deny this levy authority unless the district passes a resolution stating its intent to lease~~
215.25 ~~instructional space under this section if the commissioner does not grant authority under~~
215.26 ~~this paragraph. The resolution must also certify that the lease cost for administrative space~~
215.27 ~~under this paragraph is no greater than the lease cost for the district's proposed instructional~~
215.28 ~~lease.~~
- 215.29 (j) For taxes payable in 2024 and later, a school district that qualifies for secondary
215.30 sparsity revenue under section 126C.10, subdivision 7, and operates more than two high
215.31 schools, annually may levy not more than \$500 times the adjusted pupil units for the fiscal
215.32 year to which the levy is attributable for the purposes of this subdivision.
- 215.33 (k) Notwithstanding paragraph (a), for taxes payable in 2020 and later, a district may
215.34 levy under this subdivision for the district's proportionate share of deferred maintenance
216.1 expenditures for a district-owned building or site leased to a cooperative unit under section

- 216.2 123A.24, subdivision 2, or a joint powers district under section 471.59 for any instructional
216.3 purposes or for school storage.
- 216.4 **EFFECTIVE DATE.** This section is effective for taxes payable in 2020 and later.

216.5 Sec. 8. Minnesota Statutes 2018, section 471.59, subdivision 1, is amended to read:

216.6 Subdivision 1. **Agreement.** (a) Two or more governmental units, by agreement entered
216.7 into through action of their governing bodies, may jointly or cooperatively exercise any
216.8 power common to the contracting parties or any similar powers, including those which are
216.9 the same except for the territorial limits within which they may be exercised. The agreement
216.10 may provide for the exercise of such powers by one or more of the participating governmental
216.11 units on behalf of the other participating units.

216.12 (b) The term "governmental unit" as used in this section includes every city, county,
216.13 town, school district, service cooperative under section 123A.21, independent nonprofit
216.14 firefighting corporation, other political subdivision of this or another state, another state,
216.15 federally recognized Indian tribe, the University of Minnesota, the Minnesota Historical
216.16 Society, nonprofit hospitals licensed under sections 144.50 to 144.56, rehabilitation facilities
216.17 and extended employment providers that are certified by the commissioner of employment
216.18 and economic development, day and supported employment services licensed under chapter
216.19 245D, and any agency of the state of Minnesota or the United States, and includes any
216.20 instrumentality of a governmental unit. For the purpose of this section, an instrumentality
216.21 of a governmental unit means an instrumentality having independent policy-making and
216.22 appropriating authority.

109.10 Sec. 8. Minnesota Statutes 2018, section 205A.07, subdivision 2, is amended to read:

109.11 Subd. 2. **Sample ballot, posting.** (a) For every school district primary, general, or special
109.12 election, the school district clerk ~~shall~~ must at least four days before the primary, general,
109.13 or special election, post a sample ballot in the administrative offices of the school district
109.14 for public inspection, and ~~shall~~ must post a sample ballot in each polling place on election
109.15 day.

109.16 (b) For a school district general or special election held to authorize the issuance of
109.17 bonds to finance a capital project requiring review and comment under section 123B.71,
109.18 the summary of the commissioner's review and comment and supplemental information
109.19 required under section 123B.71, subdivision 12, paragraph (a), must be posted in the same
109.20 manner as the sample ballot under paragraph (a).

109.21 **EFFECTIVE DATE.** This section is effective for elections held on or after August 1,
109.22 2019.

109.23 Sec. 9. Minnesota Statutes 2018, section 471.59, subdivision 1, is amended to read:

109.24 Subdivision 1. **Agreement.** (a) Two or more governmental units, by agreement entered
109.25 into through action of their governing bodies, may jointly or cooperatively exercise any
109.26 power common to the contracting parties or any similar powers, including those which are
109.27 the same except for the territorial limits within which they may be exercised. The agreement
109.28 may provide for the exercise of such powers by one or more of the participating governmental
109.29 units on behalf of the other participating units.

109.30 (b) The term "governmental unit" as used in this section includes every city, county,
109.31 town, school district, service cooperative under section 123A.21, charter school under
109.32 chapter 124E, independent nonprofit firefighting corporation, other political subdivision of
110.1 this or another state, another state, federally recognized Indian tribe, the University of
110.2 Minnesota, the Minnesota Historical Society, nonprofit hospitals licensed under sections
110.3 144.50 to 144.56, rehabilitation facilities and extended employment providers that are
110.4 certified by the commissioner of employment and economic development, day and supported
110.5 employment services licensed under chapter 245D, and any agency of the state of Minnesota
110.6 or the United States, and includes any instrumentality of a governmental unit. For the purpose
110.7 of this section, an instrumentality of a governmental unit means an instrumentality having
110.8 independent policy-making and appropriating authority.

110.9 Sec. 10. Minnesota Statutes 2018, section 475.58, subdivision 4, is amended to read:

216.23 Sec. 9. **FUND TRANSFERS.**

216.24 Subdivision 1. **Truman.** (a) Notwithstanding Minnesota Statutes, section 123B.79,
216.25 123B.80, or 124D.135, on June 30, 2019, Independent School District No. 458, Truman,
216.26 may permanently transfer up to \$65,000 from the early childhood and family education
216.27 reserve account in the community service fund to the undesignated general fund.

216.28 (b) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 124D.16, on June
216.29 30, 2019, Independent School District No. 458, Truman, may permanently transfer up to
216.30 \$45,000 from the school readiness reserve account in the community service fund to the
216.31 undesignated general fund.

110.10 Subd. 4. **Proper use of bond proceeds.** The proceeds of obligations issued after approval
110.11 of the electors under this section ~~may~~ must only be spent: (1) for the purposes stated in the
110.12 ballot language; or (2) to pay, redeem, or defease obligations and interest, penalties,
110.13 premiums, and costs of issuance of the obligations. The proceeds ~~may~~ must not be spent
110.14 for a different purpose or for an expansion of the original purpose without the approval by
110.15 a majority of the electors voting on the question of changing or expanding the purpose of
110.16 the obligations.

110.17 Sec. 11. Minnesota Statutes 2018, section 475.59, subdivision 1, is amended to read:

110.18 Subdivision 1. **Generally; notice.** (a) When the governing body of a municipality resolves
110.19 to issue bonds for any purpose requiring the approval of the electors, it shall provide for
110.20 submission of the proposition of their issuance at a general or special election or town or
110.21 school district meeting. Notice of such election or meeting shall be given in the manner
110.22 required by law and shall state the maximum amount and the purpose of the proposed issue.

110.23 (b) In any school district, the school board or board of education may, according to its
110.24 judgment and discretion, submit as a single ballot question or as two or more separate
110.25 questions in the notice of election and ballots the proposition of their issuance for any one
110.26 or more of the following, stated conjunctively or in the alternative: acquisition or enlargement
110.27 of sites, acquisition, betterment, erection, furnishing, equipping of one or more new
110.28 schoolhouses, remodeling, repairing, improving, adding to, betterment, furnishing, equipping
110.29 of one or more existing schoolhouses. The ballot question or questions submitted by a school
110.30 board must state the name of the plan or plans being proposed by the district as submitted
110.31 to the commissioner of education for review and comment under section 123B.71.

110.32 (c) In any city, town, or county, the governing body may, according to its judgment and
110.33 discretion, submit as a single ballot question or as two or more separate questions in the
111.1 notice of election and ballots the proposition of their issuance, stated conjunctively or in
111.2 the alternative, for the acquisition, construction, or improvement of any facilities at one or
111.3 more locations.

111.4 **EFFECTIVE DATE.** This section is effective for elections held on or after August 1,
111.5 2019.

111.6 Sec. 12. **FUND TRANSFERS.**

111.7 Subdivision 1. **Truman.** (a) Notwithstanding Minnesota Statutes, section 123B.79,
111.8 123B.80, or 124D.135, on June 30, 2019, Independent School District No. 458, Truman,
111.9 may permanently transfer up to \$65,000 from the early childhood and family education
111.10 reserve account in the community service fund to the undesignated general fund.

111.11 (b) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80, or 124D.16, on June
111.12 30, 2019, Independent School District No. 458, Truman, may permanently transfer up to
111.13 \$45,000 from the school readiness reserve account in the community service fund to the
111.14 undesignated general fund.

217.1 Subd. 2. **Minnetonka.** Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
217.2 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 276,
217.3 Minnetonka, may permanently transfer up to \$3,300,000 from its community education
217.4 reserve fund balance to its reserved for operating capital account in the general fund. The
217.5 transferred funds must be used only to design, construct, furnish, and equip an early childhood
217.6 classroom addition.

217.7 Subd. 3. **Hopkins.** (a) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
217.8 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 270, Hopkins,
217.9 may permanently transfer up to \$500,000 from its community education reserve fund balance
217.10 to its reserved for operating capital account in the general fund.

217.11 (b) The transfer funds must be used only to design, construct, furnish, and equip an early
217.12 childhood classroom addition.

217.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

217.14 Sec. 10. **SCHOOL PROGRAM COMBINATION; HOPKINS SCHOOL DISTRICT**
217.15 **AND CHARTER SCHOOL.**

217.16 Subdivision 1. **Combination authorized.** Notwithstanding any law to the contrary, the
217.17 boards of Independent School District No. 270, Hopkins, and the charter school, may convert
217.18 a charter school's program to a school district program by mutually adopting a written
217.19 resolution authorizing the combination. The written resolution must be submitted to the
217.20 charter school's authorizer and the commissioner of education at least eight months prior
217.21 to the combination. The effective date of the combination must be no earlier than July 1,
217.22 2020, or later than July 1, 2024.

217.23 Subd. 2. **Closing books.** A charter school located within the geographic boundaries of
217.24 Independent School District No. 270, Hopkins, that chooses to combine with the school
217.25 district, must prepare and submit separate year-end reports for its last school year of operation
217.26 prior to combination. In addition, Independent School District No. 270, Hopkins, and the
217.27 charter school must provide any other information necessary for the combination to the
217.28 commissioner of education in the form and manner specified by the commissioner.

217.29 Subd. 3. **Calculation of aids.** For any site-level school aids based on prior year data,
217.30 the Department of Education may use the data for the charter school's last year of operations
217.31 for the program's new site as a part of Independent School District No. 270, Hopkins.

217.32 Subd. 4. **Funds transferred.** The charter school must transfer its fund balances, assets,
217.33 and liabilities to Independent School District No. 270, Hopkins, on the day of the
218.1 combination. Independent School District No. 270, Hopkins, must commit these funds and
218.2 spend them only for the benefit of the program operated by the district.

218.3 Subd. 5. **Affiliated building corporation.** The affiliated building corporation of the
218.4 charter school may transfer any of its remaining funds, including those from the sale of its

111.15 Subd. 2. **Minnetonka.** Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
111.16 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 276,
111.17 Minnetonka, may permanently transfer up to \$3,300,000 from its community education
111.18 reserve fund balance to its reserved for operating capital account in the general fund. The
111.19 transferred funds must be used only to design, construct, furnish, and equip an early childhood
111.20 or community education classroom addition.

111.21 Subd. 3. **Hopkins.** (a) Notwithstanding Minnesota Statutes, section 123B.79, 123B.80,
111.22 or 124D.20, subdivision 10, on June 30, 2019, Independent School District No. 270, Hopkins,
111.23 may permanently transfer up to \$500,000 from its community education reserve fund balance
111.24 to its reserved for operating capital account in the general fund.

111.25 (b) The transfer funds must be used only to design, construct, furnish, and equip an early
111.26 childhood classroom addition.

111.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

218.5 property, to Independent School District No. 270, Hopkins, and the school district must
218.6 commit any amounts transferred for the benefit of the program operated by the district.

218.7 Subd. 6. **Levy.** In addition to its other school property tax levies, Independent School
218.8 District No. 270, Hopkins, may levy on net tax capacity an amount not to exceed \$50,000
218.9 per year for taxes payable in 2020 through taxes payable in 2024.

218.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

218.11 Sec. 11. **APPROPRIATIONS.**

218.12 Subdivision 1. **Department of Education.** The sums indicated in this section are
218.13 appropriated from the general fund to the Department of Education for the fiscal years
218.14 designated.

218.15 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
218.16 Minnesota Statutes, section 123B.53, subdivision 6:

218.17 \$ 20,684,000 2020

218.18 \$ 20,363,000 2021

218.19 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

218.20 The 2021 appropriation includes \$2,043,000 for 2020 and \$18,320,000 for 2021.

218.21 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
218.22 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

218.23 \$ 105,315,000 2020

218.24 \$ 108,276,000 2021

218.25 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,851,000 for 2020.

218.26 The 2021 appropriation includes \$10,539,000 for 2020 and \$97,737,000 for 2021.

218.27 Subd. 4. **Equity in telecommunications access.** (a) For equity in telecommunications
218.28 access:

218.29 \$ 3,750,000 2020

218.30 \$ 3,750,000 2021

219.1 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
219.2 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
219.3 revenue for fiscal years 2020 and 2021 shall be prorated.

111.28 Sec. 13. **APPROPRIATIONS.**

111.29 Subdivision 1. **Department of Education.** The sum indicated in this section is

111.30 appropriated from the general fund to the Department of Education for the fiscal year
111.31 designated.

112.1 Subd. 2. **Debt service equalization aid.** For debt service equalization aid under
112.2 Minnesota Statutes, section 123B.53, subdivision 6:

112.3 \$ 20,684,000 2020

112.4 \$ 20,363,000 2021

112.5 The 2020 appropriation includes \$2,292,000 for 2019 and \$18,392,000 for 2020.

112.6 The 2021 appropriation includes \$2,043,000 for 2020 and \$18,320,000 for 2021.

112.7 Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities
112.8 maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

112.9 \$ 105,144,000 2020

112.10 \$ 107,850,000 2021

112.11 The 2020 appropriation includes \$10,464,000 for 2019 and \$94,680,000 for 2020.

112.12 The 2021 appropriation includes \$10,520,000 for 2020 and \$97,330,000 for 2021.

112.13 Subd. 4. **Equity in telecommunications access.** (a) For equity in telecommunications
112.14 access:

112.15 \$ 4,250,000 2020

112.16 \$ 4,250,000 2021

112.17 (b) If the appropriation amount is insufficient, the commissioner shall reduce the
112.18 reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the
112.19 revenue for fiscal years 2020 and 2021 shall be prorated.

219.4 (c) Any balance in the first year does not cancel but is available in the second year.

219.5 Subd. 5. **Early repayment aid incentive.** (a) For incentive grants for a district that

219.6 repaid the full outstanding original principal on its capital loan by November 30, 2016,

219.7 under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by Laws

219.8 2016, chapter 189, article 30, section 22:

219.9	\$	<u>2,350,000</u>	<u>.....</u>	<u>2020</u>
219.10	\$	<u>2,350,000</u>	<u>.....</u>	<u>2021</u>

219.11 (b) Of this amount, \$150,000 is for a grant to Independent School District No. 36,

219.12 Kelliher; \$180,000 is for a grant to Independent School District No. 95, Cromwell; \$495,000

219.13 is for a grant to Independent School District No. 299, Caledonia; \$220,000 is for a grant to

219.14 Independent School District No. 306, Laporte; \$150,000 is for a grant to Independent School

219.15 District No. 362, Littlefork; \$650,000 is for a grant to Independent School District No. 682,

219.16 Roseau; and \$505,000 is for a grant to Independent School District No. 2580, East Central.

219.17 (c) The grant may be used for any school-related purpose.

219.18 (d) The base for fiscal year 2022 is \$0.

219.19 Subd. 6. **Maximum effort loan aid.** For aid payments to schools under Minnesota

219.20 Statutes, section 477A.09.

219.21	\$	<u>3,291,000</u>	<u>.....</u>	<u>2020</u>
219.22	\$	<u>3,291,000</u>	<u>.....</u>	<u>2021</u>

219.23 The base for fiscal year 2022 is \$3,291,000 and the base for fiscal year 2023 is \$0.

112.20 (c) Any balance in the first year does not cancel but is available in the second year.

112.21 Subd. 5. **Early repayment aid incentive.** (a) For incentive grants for a district that

112.22 repays the full outstanding original principal on its capital loan by November 30, 2016,

112.23 under Laws 2011, First Special Session chapter 11, article 4, section 8, as amended by Laws

112.24 2016, chapter 189, article 30, section 22:

112.25	\$	<u>2,350,000</u>	<u>.....</u>	<u>2020</u>
112.26	\$	<u>2,350,000</u>	<u>.....</u>	<u>2021</u>

112.27 (b) Of this amount, \$150,000 is for a grant to Independent School District No. 36,

112.28 Kelliher; \$180,000 is for a grant to Independent School District No. 95, Cromwell; \$495,000

112.29 is for a grant to Independent School District No. 299, Caledonia; \$220,000 is for a grant to

112.30 Independent School District No. 306, Laporte; \$150,000 is for a grant to Independent School

112.31 District No. 362, Littlefork; \$650,000 is for a grant to Independent School District No. 682,

112.32 Roseau; and \$505,000 is for a grant to Independent School District No. 2580, East Central.

113.1 (c) The grant may be used for any school-related purpose.

113.2 (d) The base for fiscal year 2022 is \$0.

113.3 Subd. 6. **Maximum effort loan aid.** (a) For aid payments to schools with outstanding

113.4 capital loans under Minnesota Statutes, section 477A.09.

113.5	\$	<u>3,291,000</u>	<u>.....</u>	<u>2020</u>
113.6	\$	<u>3,291,000</u>	<u>.....</u>	<u>2021</u>

113.7 (b) The base for fiscal year 2022 is \$3,291,000 and the base for fiscal year 2023 is \$0.