

## CHAPTER 136D

### INTERMEDIATE SCHOOL DISTRICTS

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#### 136D.22 JOINT SCHOOL BOARD, MEMBERS, BYLAWS.

Subdivision 1. **Board.** The agreement shall provide for a joint school board representing the parties to the agreement. The agreement shall specify the name of the board, the number and manner of election or appointment of its members, their terms and qualifications, and other necessary and desirable provisions. Each member of the board shall be a school board member of a school district that is a party to the agreement.

*[For text of subd 2, see M.S.1988]*

**History:** 1989 c 329 art 9 s 17

**NOTE:** Subdivision 1, as amended by Laws 1989, chapter 329, article 9, section 17, is effective July 1, 1992. See Laws 1989, chapter 329, article 9, section 35.

#### 136D.27 STATE AIDS AND LEVIES.

Subdivision 1. **Levies for certain programs.** Each year the joint school board may certify to each participating school district tax levies that shall not in any year exceed the greater of:

(a) the amount of levy certified for taxes payable in 1989; or

(b) the lesser of (1) \$60 times the actual pupil units in the participating district for the fiscal year to which the levy is attributable, or (2) 1.1 percent of adjusted gross tax capacity. Each participating school district shall include these tax levies in the next tax roll which it shall certify to the county auditor or auditors, and shall remit the collections of such levies to the board promptly when received. These levies shall not be included in computing the limitations upon the levy of any participating district. The board may, any time after these levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of such levies, but in aggregate amounts such as will not exceed the portion of the levies which is then not collected and not delinquent.

Five-elevenths of the proceeds of the levy must be used for special education and six-elevenths of the proceeds of the levy must be used for secondary vocational education.

*[For text of subd 2, see M.S.1988]*

Subd. 3. **Prohibited state aids.** Notwithstanding section 136D.24 or any law to the contrary, the department of education shall not pay, unless explicitly authorized by statute, any state aid, grant, credit, or other money to the joint school board, except the aid, credit, or money authorized by sections 121.201, 123.3514, 124.252, 124.32, 124.573, 124.574, and 124.646, and chapter 273.

**History:** 1989 c 209 art 2 s 13; 1989 c 329 art 6 s 44

#### 136D.28 BOND PROCEDURE; TAX FOR; ISSUE, SALE; TAX EXEMPT.

*[For text of subd 1, see M.S.1988]*

Subd. 2. **Taxes.** Before issuing such bonds, the board shall certify to each participating school district and to the county auditor or auditors the years and amounts of taxes required to be levied for payment of such bonds by section 475.61. The county auditor shall cause the share of each participating school district in such taxes to be spread in each year until the bonds and interest have been paid, the share of each district in any year to be equal to the ratio of the most recent net tax capacity of taxable property therein to the most recent net tax capacity of taxable property in all participating school districts. None of the taxes levied for payment of such bonds shall be included in computing the limitations upon the levy of any district under any law. Such taxes may be levied in addition to the taxes authorized by section 136D.27 hereof.

*[For text of subds 3 and 4, see M.S.1988]*

**History:** 1989 c 329 art 13 s 20

### **136D.71 LISTED DISTRICTS MAY FORM INTERMEDIATE DISTRICT.**

Notwithstanding any other law to the contrary, two or more of the independent school districts numbered 12 and 16 of Anoka county, independent school districts numbered 621, 622, 623, and 624 of Ramsey county, and independent school districts numbered 832, 833, and 834 of Washington county, are hereby authorized to enter into an agreement to establish a special intermediate school district upon majority vote of the full membership of each of the boards of the districts entering into the agreement. When such resolution has been adopted by the board of one of the districts, it shall be published once in a newspaper of general circulation in said district. If a petition for referendum on the question of said district entering into such agreement is filed with the clerk of the said board within 60 days after publication of such resolution, signed by the qualified voters of said district equal to five percent of the number of voters at the last annual school election. No board shall enter into such agreement until the question of whether the district shall enter into the agreement has been submitted to the voters of said district at a special election. Said election shall be conducted and canvassed in accordance with chapter 205A.

If a majority of the total number of votes cast on the question within said district is in favor of the question, the board of said school district may thereupon proceed to enter into an agreement to establish the special intermediate school district for purposes herein described. Such school district so created shall be known as northeastern metropolitan intermediate school district, state of Minnesota. The commissioner of education shall assign an appropriate identification number as provided by section 122.03.

**History:** 1989 c 209 art 2 s 14

### **136D.72 GOVERNING BOARD.**

Subdivision 1. **Members.** The district shall be operated by a school board of not less than six nor more than 12 members. The board shall consist of at least one member from each of the school districts within the special intermediate school district. Board members shall be members of the school boards of the respective school districts and shall be appointed by their respective school boards. Members shall serve at the pleasure of their respective school boards and may be subject to recall by a majority vote of the school board. They shall report at least quarterly to their boards on the activities of the intermediate district.

*[For text of subds 2 to 5, see M.S.1988]*

**History:** 1989 c 329 art 9 s 18

**NOTE:** Subdivision 1, as amended by Laws 1989, chapter 329, article 9, section 18, is effective July 1, 1992. See Laws 1989, chapter 329, article 9, section 35.

**136D.74 STATUS OF INTERMEDIATE BOARD.**

*[For text of subds 1 to 1b, see M.S.1988]*

**Subd. 2. Tax levy.** Each year the intermediate school board may certify to each county auditor of each county in which said intermediate school district shall lie, as a single taxing district, tax levies that shall not in any year exceed the greater of:

(a) the amount of levy certified for taxes payable in 1989; or

(b) the lesser of (1) \$60 times the actual pupil units in the participating district for the fiscal year to which the levy is attributable, or (2) 1.1 percent of adjusted gross tax capacity. Said annual tax levies shall be certified pursuant to section 275.07. Upon such certification the county auditor or auditors and other appropriate county officials shall levy and collect such levies and remit the proceeds of collection thereof to the intermediate school district as in the case with independent school districts. Such levies shall not be included in computing the limitations upon the levy of any of the participating districts.

Five-elevenths of the proceeds of the levy must be used for special education and six-elevenths of the proceeds of the levy must be used for secondary vocational education.

*[For text of subd 2a, see M.S.1988]*

**Subd. 2b. Prohibited state aids.** Notwithstanding subdivision 4 or any law to the contrary, the department of education shall not pay, unless explicitly authorized, any state aid, grant, credit, or other money to the intermediate school board, except the aid, credit, or money authorized by sections 121.201, 123.3514, 124.252, 124.32, 124.573, 124.574, and 124.646, and chapter 273.

*[For text of subds 3 and 4, see M.S.1988]*

**History:** 1989 c 209 art 2 s 15; 1989 c 329 art 6 s 45

**136D.741 BONDS.**

*[For text of subds 1 to 3, see M.S.1988]*

**Subd. 4. Referendum.** The intermediate school board shall not sell and issue bonds for acquisition or betterment purposes until the question of their issuance has been submitted to the voters of the intermediate school district at a special election held in and for such intermediate district. The date of such election, the question to be submitted, and all other necessary conduct of such election shall be fixed by the intermediate school board and said election shall be conducted and canvassed under the direction of the intermediate school board in accordance with chapter 205A, insofar as the same may be deemed applicable.

If a majority of the total number of votes cast on the question within the intermediate school district is in favor of the question, the intermediate school board may thereupon proceed with the sale and the issuance of said bonds.

*[For text of subds 5 to 7, see M.S.1988]*

**History:** 1989 c 209 art 2 s 16

**136D.76 GENERAL DISTRICT LAW APPLIES; JOINDER, WITHDRAWAL.**

*[For text of subd 1, see M.S.1988]*

**Subd. 2. Joinder.** Upon approval of the majority vote of its board and of the intermediate school board as well as approval of the state board of education, any other independent school district adjoining the territory embraced in the intermediate school district may become a participant in the intermediate school district and be governed by the provisions of sections 136D.71 to 136D.77 thereafter. The net tax capacity of

the property within the geographic confines of such district shall become proportionately liable for any indebtedness issued, outstanding or authorized of the intermediate school district.

Subd. 3. **Withdrawal.** Any participating district may withdraw from the intermediate school district only upon mutual consent of a majority vote of the full membership of such participating school district desiring withdrawal and the intermediate school board. If such withdrawal resolutions are duly enacted, the intermediate school board shall file a copy of its resolution reciting the necessary facts and file a certified copy thereof with the county auditors of the counties affected. Such withdrawal shall become effective at the end of the next following school year but such withdrawal shall not affect the continued liability of the withdrawing district and all of the net tax capacity within its geographic confines for its share of the bonded indebtedness outstanding and authorized by the intermediate school district.

**History:** 1989 c 329 art 13 s 20

### 136D.82 JOINT SCHOOL BOARD, MEMBERS, BYLAWS.

Subdivision 1. **Board.** The agreement shall provide for a joint school board representing the parties to the agreement. The agreement shall specify the name of the board, the number and manner of election or appointment of its members, their terms and qualifications, and other necessary and desirable provisions. Each member of the board shall be a school board member of a school district that is a party to the agreement.

*[For text of subd 2, see M.S.1988]*

**History:** 1989 c 329 art 9 s 19

**NOTE:** Subdivision 1, as amended by Laws 1989, chapter 329, article 9, section 19, is effective July 1, 1992. See Laws 1989, chapter 329, article 9, section 35.

### 136D.87 TAX LEVIES, CERTIFICATES OF INDEBTEDNESS.

Subdivision 1. **Levies for certain programs.** Each year the joint school board may certify to each participating school district tax levies that shall not in any year exceed the greater of:

- (a) the amount of levy certified for taxes payable in 1989; or
- (b) the lesser of (1) \$60 times the actual pupil units in the participating district for the fiscal year to which the levy is attributable, or (2) 1.1 percent of adjusted gross tax capacity. Each participating school district shall include these tax levies in the next tax roll which it shall certify to the county auditor or auditors and shall remit the collections of these levies to the board promptly when received. These levies shall not be included in computing the limitations upon the levy of any participating district. The board may, any time after these levies have been certified to the participating school districts, issue and sell certificates of indebtedness in anticipation of the collection of levies, but in aggregate amounts that will not exceed the portion of the levies which is then not collected and not delinquent.

Five-elevenths of the proceeds of the levy must be used for special education and six-elevenths of the proceeds of the levy must be used for secondary vocational education.

*[For text of subd 2, see M.S.1988]*

Subd. 3. **Prohibited state aids.** Notwithstanding section 136D.24 or any law to the contrary, the department of education shall not pay, unless explicitly authorized, any state aid, grant, credit, or other money to the joint school board, except for aid, credit, or money authorized by sections 121.201, 123.3514, 124.252, 124.32, 124.573, 124.574, and 124.646, and chapter 273.

**History:** 1989 c 209 art 2 s 17; 1989 c 329 art 6 s 46

**136D.89 BOND PROCEDURE; TAX FOR; ISSUE, SALE; TAX EXEMPT.**

*[For text of subd 1, see M.S.1988]*

Subd. 2. **Taxes.** Before issuing such bonds, the board shall certify to each participating school district and to the county auditor or auditors the years and amounts of taxes required to be levied for payment of such bonds by section 475.61. The county auditor shall cause the share of each participating school district in such taxes to be spread in each year until the bonds and interest have been paid, the share of each district in any year to be equal to the ratio of the most recent net tax capacity of taxable property therein to the most recent net tax capacity of taxable property in all participating school districts. None of the taxes levied for payment of such bonds shall be included in computing the limitations upon the levy of any district under any law. Such taxes may be levied in addition to the taxes authorized by section 136D.87 hereof.

*[For text of subds 3 and 4, see M.S.1988]*

**History:** 1989 c 329 art 13 s 20