

HOUSE RESEARCH

Bill Summary

FILE NUMBER: H.F. 1229

DATE: April 4, 2005

Version: First Engrossment

Authors: Buesgens and others

Subject: Providing for an election to detach land for a new school district

Analyst: Lisa Larson, 651-296-8036

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: www.house.mn/hrd.

Overview

Establishes a process for detaching a specified area of an existing school district and creating newly constituted and reconstituted school districts.

Section

1 Election to detach land for a new school district.

Subd. 1. Detachment ballot question; school board general election. Allows a school board to act on its own motion or in response to a petition signed by a sufficient number of voters to place on the ballot at the next school district general election the question whether, as of the date when a new board can be elected and qualified, to detach from the school district a specified area of district land and to classify that area as a new school district for which the education commissioner must assign an identification number. Requires a voter-approved detachment to be accomplished according to this section.

Subd. 2. School board elections. (a) Directs the county auditors of the counties containing the greatest land area of the newly constituted districts to determine a date to hold special elections for school board members.

(b) Causes the terms of the existing school board members to continue until the school board members in the newly constituted districts are elected and qualified.

Section

(c) Allows a person to serve on the existing board and on a subsequently elected board.

Subd. 3. Tax liability for existing bonded debt. Declares that all taxable property in the detached area remains obligated for any bonded debt for which the school district from which the property was detached was obligated before the detachment occurred. Declares that all taxable property in the newly constituted and in the reconstituted districts is taxable for school district obligations authorized after the detachment.

Subd. 4. Current assets and liabilities; distribution of assets; real property. (a) Directs the commissioner to issue an order for dividing and distributing current assets and liabilities and legally valid and enforceable claims and obligations of the school district from which the property was detached so that the newly constituted and the reconstituted districts can operate independently.

(b) Requires the commissioner's order to transfer real property interests to the newly constituted and the reconstituted districts, to determine the distribution and amount paid for the real property and to impose a specified dollar amount as a claim against the district receiving real property interests under the order. Requires the claim to be paid and enforced.

Subd. 5. Licensed and nonlicensed employees. (a) Makes the obligations of the newly constituted and the reconstituted districts to licensed employees subject to the statutory section governing employees of reorganized school districts.

(b) Allows nonlicensed employees of the district from which the property was detached to apply to remain in the reconstituted district or move to the newly constituted district. Directs the commissioner to assign nonlicensed employees to unfilled positions in both districts based on seniority. Declares that all rights of and obligations to nonlicensed employees continue in the same manner as before the detachment.

Makes subdivision 1 immediately effective. Directs the commissioner, in response to a voter-approved detachment ballot question, to classify the detached area and the area that remains after the detachment as new independent school districts with new identification numbers and to modify the records and other legal documents involving the affected school districts in order to conform to the detachment.

Makes subdivisions 2, 3 and 5 immediately effective after the voters approve the detachment ballot question.

Makes subdivision 4 immediately effective after the voters approve the detachment ballot question and applicable to both newly classified school districts.