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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH
SESSION

HOUSE FILE No. **88**

January 13, 2011

Authored by Doepke; Anderson, S.; Erickson; Runbeck; Gruenhagen and others

The bill was read for the first time and referred to the Committee on Education Finance

February 3, 2011

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Taxes

February 14, 2011

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to education; removing the maintenance of effort and set-aside
1.3 requirements for school personnel; returning financial decision making to school
1.4 districts; amending Minnesota Statutes 2010, section 126C.44.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 126C.44, is amended to read:

1.7 **126C.44 SAFE SCHOOLS LEVY.**

1.8 (a) Each district may make a levy on all taxable property located within the district
1.9 for the purposes specified in this section. The maximum amount which may be levied
1.10 for all costs under this section shall be equal to \$30 multiplied by the district's adjusted
1.11 marginal cost pupil units for the school year. The proceeds of the levy must be reserved and
1.12 used for directly funding the following purposes or for reimbursing the cities and counties
1.13 who contract with the district for the following purposes: (1) to pay the costs incurred for
1.14 the salaries, benefits, and transportation costs of peace officers and sheriffs for liaison in
1.15 services in the district's schools; (2) to pay the costs for a drug abuse prevention program
1.16 as defined in section 609.101, subdivision 3, paragraph (e), in the elementary schools;
1.17 (3) to pay the costs for a gang resistance education training curriculum in the district's
1.18 schools; (4) to pay the costs for security in the district's schools and on school property; (5)
1.19 to pay the costs for other crime prevention, drug abuse, student and staff safety, voluntary
1.20 opt-in suicide prevention tools, and violence prevention measures taken by the school
1.21 district; or (6) to pay costs for licensed school counselors, licensed school nurses, licensed
1.22 school social workers, licensed school psychologists, and licensed alcohol and chemical
1.23 dependency counselors to help provide early responses to problems. For expenditures
1.24 under clause (1), the district must initially attempt to contract for services to be provided

2.1 by peace officers or sheriffs with the police department of each city or the sheriff's
2.2 department of the county within the district containing the school receiving the services. If
2.3 a local police department or a county sheriff's department does not wish to provide the
2.4 necessary services, the district may contract for these services with any other police or
2.5 sheriff's department located entirely or partially within the school district's boundaries.

2.6 (b) A school district that is a member of an intermediate school district may
2.7 include in its authority under this section the costs associated with safe schools activities
2.8 authorized under paragraph (a) for intermediate school district programs. This authority
2.9 must not exceed \$10 times the adjusted marginal cost pupil units of the member districts.
2.10 This authority is in addition to any other authority authorized under this section. Revenue
2.11 raised under this paragraph must be transferred to the intermediate school district.

2.12 ~~(c) A school district must set aside at least \$3 per adjusted marginal cost pupil~~
2.13 ~~unit of the safe schools levy proceeds for the purposes authorized under paragraph (a),~~
2.14 ~~clause (6). The district must annually certify either that: (1) its total spending on services~~
2.15 ~~provided by the employees listed in paragraph (a), clause (6), is not less than the sum of~~
2.16 ~~its expenditures for these purposes, excluding amounts spent under this section, in the~~
2.17 ~~previous year plus the amount spent under this section; or (2) that the district's full-time~~
2.18 ~~equivalent number of employees listed in paragraph (a), clause (6), is not less than the~~
2.19 ~~number for the previous year.~~