

**SENATE  
STATE OF MINNESOTA  
NINETY-FIRST SESSION**

**S.F. No. 3911**

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DATE  
03/04/2020

D-PG

Introduction and first reading  
Referred to E-12 Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education; amending the review and comment process for school district  
1.3 construction; amending Minnesota Statutes 2018, section 123B.71, subdivisions  
1.4 9, 11, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2018, section 123B.71, subdivision 9, is amended to read:

1.7 Subd. 9. **Information required.** A school board proposing to construct, expand, or  
1.8 remodel a facility that requires a review and comment under subdivision 8 shall submit to  
1.9 the commissioner a proposal containing information including at least the following:

1.10 (1) the geographic area and population to be served, preschool through grade 12 student  
1.11 enrollments for the past five years, and student enrollment projections for the next five  
1.12 years;

1.13 (2) a list of existing facilities by year constructed, their uses, and an assessment of the  
1.14 extent to which alternate facilities are available within the school district boundaries and in  
1.15 adjacent school districts;

1.16 (3) a list of the specific deficiencies of the facility that demonstrate the need for a new  
1.17 or renovated facility to be provided, the process used to determine the deficiencies, a list  
1.18 of those deficiencies that will and will not be addressed by the proposed project, and a list  
1.19 of the specific benefits that the new or renovated facility will provide to the students, teachers,  
1.20 and community users served by the facility;

1.21 (4) a description of the project, including the specification of site and outdoor space  
1.22 acreage and square footage allocations for classrooms, laboratories, and support spaces;

2.1 estimated expenditures for the major portions of the project; and the dates the project will  
2.2 begin and be completed;

2.3 (5) a specification of the source of financing the project, including applicable statutory  
2.4 citations; the scheduled date for a bond issue or school board action; a schedule of payments,  
2.5 including debt service equalization aid; and the effect of a bond issue on local property  
2.6 taxes by the property class and valuation; ~~and~~

2.7 (6) documents obligating the school district and contractors to comply with items (i) to  
2.8 (vii) in planning and executing the project:

2.9 (i) section 471.345 governing municipal contracts;

2.10 (ii) sustainable design;

2.11 (iii) school facility commissioning under section 123B.72 certifying the plans and designs  
2.12 for the heating, ventilating, air conditioning, and air filtration for an extensively renovated  
2.13 or new facility meet or exceed current code standards, including the ASHRAE air filtration  
2.14 standard 52.1;

2.15 (iv) American National Standards Institute Acoustical Performance Criteria, Design  
2.16 Requirements and Guidelines for Schools on maximum background noise level and  
2.17 reverberation times;

2.18 (v) State Fire Code;

2.19 (vi) chapter 326B governing building codes; and

2.20 (vii) consultation with affected government units about the impact of the project on  
2.21 utilities, roads, sewers, sidewalks, retention ponds, school bus and automobile traffic, access  
2.22 to mass transit, and safe access for pedestrians and cyclists; and

2.23 (7) any public comments received under subdivision 9a.

2.24 Sec. 2. Minnesota Statutes 2018, section 123B.71, is amended by adding a subdivision to  
2.25 read:

2.26 Subd. 9a. **Public input.** A school board proposing to construct, expand, or remodel a  
2.27 facility that requires a review and comment under subdivision 8 must inform school district  
2.28 residents of the proposal and that written comments may be submitted to the board.

3.1 Sec. 3. Minnesota Statutes 2018, section 123B.71, subdivision 11, is amended to read:

3.2 Subd. 11. **Review of proposals.** In reviewing each proposal, the commissioner shall  
3.3 submit to the school board, within 60 days of receiving the proposal, the review and comment  
3.4 about the educational and economic advisability of the project. In the review and comment  
3.5 submitted to the school board, the commissioner must explain the reasons for the proposal's  
3.6 advisability. The commissioner must include a summary of the comments from residents  
3.7 of the school district in the review and comment. The review and comment shall be based  
3.8 on information submitted with the proposal and other information the commissioner  
3.9 determines is necessary. If the commissioner submits a negative review and comment for  
3.10 a portion of a proposal, the review and comment shall clearly specify which portion of the  
3.11 proposal received a negative review and comment and which portion of the proposal received  
3.12 a positive review and comment.