

CHAPTER 300—H. F. No. 126

An act relating to the salaries of certain county officials and legalizing certain payments heretofore made.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **Salaries of certain county officials legalized.**—In each county of this state now or hereafter having not less than fourteen nor more than sixteen full and fractional congressional townships and an assessed valuation, excluding monies and credits of not less than \$4,600,000 and not more than \$4,800,000, and having a population of not more than 10,000 and not less than 9,000, any and all payments for salaries heretofore made by such counties are hereby legalized.

Sec. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved April 19, 1937.

CHAPTER 301—S. F. No. 161

An act authorizing school boards of any school district however organized, to provide for insurance in transporting school children, waiving defenses by insurance companies and repealing inconsistent acts.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **School boards may provide liability insurance.**—The school board, of any school district of this state, however organized, is hereby authorized and empowered to provide for the protection of school children in its respective district, being transported for all school purposes or activities in district owned, operated, leased or controlled motor vehicles, against injuries or damages arising out of the operation thereof. If said board deems it advisable, insurance may be procured, and paid for from any funds available.

Provided, however, any insurance contract covering such risk shall contain as a condition precedent, a clause or provision expressly waiving the defense, by the insurer, that the school district is engaged in a governmental function.

Sec. 2. **Payment of premiums not to make district liable.**—The payment of any insurance premiums by such school district shall not thereby make the school district liable for any injuries or

damages incurred by such transportation, and all payments made pursuant to this act are hereby legalized.

Sec. 3. **Inconsistent acts repealed.**—All acts or parts of acts inconsistent herewith are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its passage.

Approved April 19, 1937.

CHAPTER 302—S. F. No. 999

An act to amend Mason's Minnesota Statutes of 1927, Section 2823, relating to the power of school boards to admit pupils from other districts.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. **Law amended.**—That Mason's Minnesota Statutes of 1927, Section 2823, be and the same is hereby amended to read as follows:

"2823. **Admission of non-resident pupils to schools.**—The child or children of any person in this state not resident within the limits of any incorporated city or village of this state, and residing more than two miles by the nearest traveled road from the schoolhouse in the district where such child or children reside, are hereby authorized to attend school at a school or schoolhouse in an adjoining district nearer to such residence than the said schoolhouse in the said district where such child or children reside, upon such reasonable terms as shall be fixed by the school board of such adjoining district, upon application of the parents or guardian of such child or children. *The school board of the child's resident district shall pay such tuition to the school board of the adjoining district in which the child is attending.* In case the school board of the child's resident district is not satisfied or cannot comply with the terms and conditions fixed and determined by the school board of such adjoining district, and shall apply to the *Commissioner of Education* for that purpose, the *Commissioner of Education* shall give such notice of such application to the clerk of the school board of such adjoining district as shall be determined by such *Commissioner of Education* and shall after such notice, decide such application and fix such terms and conditions for the attendance of such child or children in such adjoining district as shall be just and reasonable, and thereupon such child or children may attend such school in such adjoining district upon