

MINNESOTA STATUTES 1953 ANNOTATIONS

135.13 TEACHERS RETIREMENT FUND

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135.13 BOARD TO CERTIFY TO STATE AUDITOR

HISTORY. 1931 c 406 s 12; 1935 c 301 s 1; 1949 c 708 s 6.

A law to be general need not operate alike upon all provided the legislature make the necessary classifications. Should the law result in inequality, it is still constitutional. *Hassler v Engberg*, 233 M 487, 48 NW(2d) 344.

"The amount so certified shall be so adjusted by the deficit or surplus of the preceding year" is construed to mean the total surplus or deficit at the end of the preceding year, not merely the deficit or surplus incurred during the preceding year. OAG Aug. 6, 1951 (175-J).

135.14 AUDITOR MAY SELL TAX ANTICIPATION CERTIFICATES

HISTORY. 1915 c 199 s 12; 1931 c 406 s 13.

135.19 TEACHERS RETIREMENT FUND ASSOCIATIONS IN CITIES

City teachers retirement fund association, organized under the provisions of sections 135.19 to 135.27, may amend its articles of incorporation so as to provide for survivorship benefits. Minnesota nonprofit corporation act is applicable to such associations. OAG Sept. 15, 1953 (175-I).

135.23 CONTRIBUTION BY TEACHERS; TAXATION

HISTORY. 1909 c 343 s 5; 1941 c 214 s 1; 1945 c 390 s 1; 1951 c 25 s 1.

Where a teachers retirement association by its articles of incorporation, conditions its liability for annuity payments on "memberships" in the association, and membership, in turn, is dependent upon employment by the board of education of a city of the first class, membership in the retirement association is not terminated when a member is granted a leave of absence by the board of education but does not resign until the expiration of his leave of absence. The association is then liable for annuity payments to the member who fulfills all other conditions for payment of an annuity. Held, under facts in this case, that teacher was still in employ of board of education on Feb. 1, 1945, under leave of absence from said board expiring on that date and entitled to the superannuation benefits provided for by defendant's articles of incorporation, as ordered by the trial court. *Bartlett v Duluth Teachers Retirement Fund Association*, 224 M 522, 28 NW(2d) 740.

135.24 TAX LEVIES

HISTORY. 1909 c 343 s 6; 1911 c 383 s 1; 1917 c 300 s 1; 1919 c 144 s 1; 1921 c 303 s 1; 1923 c 310 s 1; 1935 c 111 s 2; 1945 c 390 s 2; 1949 c 523 s 1.

CHAPTER 136

STATE TEACHERS COLLEGES

136.01 DESIGNATION

HISTORY. 1858 c 79 s 1, 4, 5, 9; 1873 c 2 s 1; 1874 c 4; 1877 c 74 subc 9 s 1; 1895 c 184; 1913 c 362; 1921 c 260 s 1.

NOTE: The Winona, Mankato, and St. Cloud Teachers Colleges were established under Laws 1858, Chapter 79, as amended by Laws 1877, Chapter 74; Moorhead Teachers College by Laws 1885, Chapter 158; Duluth Teachers College by Laws 1895, Chapter 184; and Bemidji Teachers College by Laws 1913, Chapter 362. The provisions of the laws establishing these colleges were confirmed by Laws 1921,

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STATE TEACHERS COLLEGES 136.11

Chapter 260. The Duluth Teachers College was made a branch of the University of Minnesota by Laws 1947, Chapter 578.

For the education of its pupils, a school district may contract with the laboratory service or department of any state teachers college. OAG Jan. 3, 1947 (180-A).

The state college board, is guided and limited in its expenditure for current maintenance by current appropriations, may transfer a teacher employed to teach at one college so that the duties might be performed by that teacher at another college. OAG Dec. 9, 1949 (316).

136.02 STATE TEACHERS COLLEGE BOARD

Tests for determining whether a proper charge is made for the expenditure for publicity by the state teachers college board is whether such publicity is required by any state law, or necessary for the satisfactory conduct of business for which such bureau, department, or division was created, and whether expenditure for publicity meets the test is a question of fact. OAG Oct. 31, 1951 (9-A-41).

136.03 MANAGEMENT OF STATE TEACHERS COLLEGES

HISTORY. 1858 c 79 s 9, 13; 1873 c 2 s 5; 1875 c 24 s 1; 1877 c 74 subc 9 s 5; 1905 c 119 s 1; GS 1913 s 3060.

The state teachers college board may transfer a teacher employed in one college to another so that his duties are thereafter being performed at the college to which he is transferred. If this transfer involves a change in salary the board has power to fix it but must keep within the limitations of Laws 1949, Chapter 743, Section 5. OAG Dec. 29, 1949 (316).

State officers and boards have only the power and authority expressly conferred upon them by law, or which is necessarily incident to the exercise of the powers and authority expressly conferred upon them. No authority has been granted to the commissioner of education or to the teachers college board to demolish Ogden Hall and build a new physical education building thereon. OAG March 17, 1950 (9-A-41).

136.035 Obsolete.

136.036 IN-SERVICE EDUCATION

HISTORY. 1947 c 429 s 1-5; 1949 c 274 s 1-5; 1951 c 41 s 1.

136.07 EXCEEDING APPROPRIATIONS; PENALTY

The state teachers college board may transfer a teacher employed in one college to another so that his duties are thereafter being performed at the college to which he is transferred. If this transfer involves a change in salary the board has power to fix it but must keep within the limitations of Laws 1949, Chapter 743, Section 5. OAG Dec. 29, 1949 (316).

136.08 Superseded by 1925 c 426; 1939 c 431.

136.09 DEGREES

HISTORY. 1858 c 79 s 11; 1873 c 2 s 5; 1875 c 24 s 1; 1877 c 74 subc 9 s 6; 1913 c 436 s 1; 1921 c 260 s 3; 1953 c 428 s 1.

136.11 TUITION IN STATE TEACHERS COLLEGES

HISTORY. 1858 c 79 s 11; 1873 c 2 s 7; 1877 c 74 subc 9 s 9; 1881 c 41 s 11; 1933 c 294 s 1; 1943 c 611 s 1; 1945 c 394 s 1, 4; 1949 c 720 s 1; 1953 c 599 s 1.

The state teachers college board is without authority to fix tuition fees outside the range specified by the legislature in section 136.11. OAG March 16, 1950 (316).

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Money contributed by students for non-curricular purposes not specified in section 136.11 is not under the authority or control of the state teachers college board or of the state. OAG March 19, 1951 (316).

Pupils in school districts may attend laboratory schools in a teachers college under a contract entered into between the teachers college board and the school board of the district where the pupil resides. OAG June 26, 1953 (316).

The state teachers college board is authorized to fix the rates of tuition for pupils using the college laboratory. The rates of minimum and maximum tuition charged to general pupils at the college do not apply to pupils using the laboratory service only. The matter of tuition is for the judgment of the college board. OAG June 26, 1953 (316).

136.12 EDUCATIONAL MANAGEMENT

HISTORY. 1858 c 79 s 13; 1873 c 2 s 2; 1877 c 74 subc 9 s 2.

136.13 ANNUAL MEETING; OFFICERS

HISTORY. 1858 c 79 s 5; 1873 c 2 s 3; 1877 c 74 subc 9 s 3; 1883 c 12 s 1; 1945 c 367 s 1.

136.14 DUTIES OF BOARD

HISTORY. 1858 c 79 s 7, 9; 1873 c 2 s 9; 1877 c 74 subc 9 s 7; 1913 c 436 s 1.

The state teachers college board is without authority to demolish a hall at the state teachers college in order to provide a site for a new physical education building authorized by statute. OAG March 17, 1950 (9-A-41).

136.15 REPORT TO COMMISSIONER OF EDUCATION

HISTORY. 1858 c 79 s 12; 1877 c 74 subc 9 s 7.

136.171 RECEIPTS FROM SUMMER SESSIONS AND OFF-CAMPUS COURSES

HISTORY. 1949 c 518 s 1.

136.18 INSTRUCTION TO VETERANS

HISTORY. 1945 c 251 s 1.

136.19 EXAMINATIONS, TESTS, OCCUPATIONAL DIAGNOSIS COVERING VETERANS

HISTORY. 1945 c 398 s 1-5.

136.20 BOOK STORE

HISTORY. 1949 c 517 s 1.

136.21 EXCHANGE TEACHERS

HISTORY. 1953 c 597 s 1-3.

136.22 CLASSES ON HOLIDAYS

HISTORY. 1953 c 598 s 1.