

CHAPTER 141

PRIVATE TRADE SCHOOLS

141.01 DEFINITIONS

A private educational institution does not automatically fall within the provisions granted by Minnesota Constitution, Article IX, Section 1, merely by designating itself a vocational institute, a college, a seminary of learning, or other like term. To justify a finding that it is exempt, the evidence must establish that it offers courses which may be readily assimilated and those of a publicly supported elementary school, high school, college, seminary of learning, or university. In the instant case the institute did not come within the proper classification and is denied tax exemption. *State v NW Vocational Institute*, 232 M 377, 45 NW(2d) 653.

Fashion modeling schools are subject to licensing as "a private trade school" under the provisions of section 141.01 et seq. OAG April 23, 1952 (170-I).

If a soldier is entitled to tuition or a similar benefit under a federal law, rule, or regulation, he is not entitled to benefits under the Minnesota law until he has exhausted his rights under the federal law. If a school teaches exclusively business subjects, it is not a trade school, and if the department of education has approved the school to be a trade school, a soldier is entitled to have his tuition paid for the course which he selects. OAG Oct. 13, 1953 (823).

141.04 LICENSE REQUIRED

Where a trade school operates without a license the industrial commission, under whose authority the license is issued, should advise the county attorney whose duty it is to prosecute the accused. If after the conviction the violator still continues to operate the school, the fact should be submitted to the attorney general who may, on behalf of the state, institute or cause to be instituted, injunction proceedings. OAG Dec. 12, 1951.

HEALTH

CHAPTER 144

DEPARTMENT OF HEALTH

NOTE: The department was created by Laws 1872, Chapter 15, revised by Laws 1893, Chapter 97, continued with existing powers and duties by Laws 1925, Chapter 426, and not disturbed by the reorganization imposed by Laws 1939, Chapter 431.

STATE BOARD OF HEALTH

144.01 STATE BOARD OF HEALTH

HISTORY. 1872 c 15 s 1; 1893 c 97 s 1; 1925 c 426 art 1 s 1.

144.03 GENERAL DUTIES OF OFFICERS

HISTORY. 1872 c 15 s 3, 4; 1893 c 97 s 2.