

CHAPTER 136

STATE COLLEGES

Sec.		Sec.	
136.01	Designation	136.171	Receipts from summer sessions and off-campus courses
136.015	State teachers colleges, redesignated state colleges	136.18	Instruction to veterans
136.02	State college board	136.19	Examinations, tests, and occupational diagnoses covering veterans
136.03	Management of state colleges	136.20	Book store
136.036	In-service education	136.21	Exchange teachers
136.045	General adult education	136.22	Classes on holidays
136.06	Expenses, payment	136.31	State college board, duties
136.07	Exceeding appropriations; penalty	136.32	Bonds, investments
136.09	Degrees	136.33	Resolution of board
136.10	Model schools	136.34	Student activities, fees charged
136.11	Tuition	136.35	Special revenue fund
136.12	Educational management	136.36	Allocation of receipts
136.13	Annual meeting; officers	136.37	Administration
136.14	Duties of board	136.38	Contracts of board, performance compelled
136.141	Workshop courses	136.41	Revenue bonds, issuance
136.15	Report to commissioner of education	136.42	May apply to federal housing and home finance company for loan
136.16	Compensation of board		
136.17	Summer sessions at colleges		

136.01 DESIGNATION. The six educational institutions in this state heretofore designated as state normal schools shall hereafter be designated as state colleges as follows: The "Winona State College," the "Mankato State College," the "St. Cloud State College," the "Duluth State College," the "Moorhead State College," the "Bemidji State College," respectively.

[1921 c 260 s 1; 1957 c 576 s 1] (3064)

136.015 STATE TEACHERS COLLEGES, REDESIGNATED STATE COLLEGES. Educational institutions heretofore known and described as state teachers colleges as designated in Minnesota Statutes, Section 136.01, are redesignated as state colleges.

[1957 c 576 s 1]

136.02 STATE COLLEGE BOARD. The board heretofore in charge of the state normal schools and referred to in the statutes as the normal school board and sometimes as the state normal school board shall hereafter be designated as the state college board, with the same powers and duties as heretofore, with the additions provided in section 136.09.

[1921 c 260 s 2; 1957 c 576 s 1, 2] (3065)

136.03 MANAGEMENT OF STATE COLLEGES. The state colleges shall be under the management, jurisdiction, and control of the state college board; and it shall have and possess all of the powers, jurisdiction, and authority, and shall perform all of the duties by them possessed and performed on and prior to April 1, 1901, except as hereinafter stated.

[1905 c 119 s 1; 1957 c 576 s 1, 2] (3140)

136.035 [Obsolete]

136.036 IN-SERVICE EDUCATION. Subdivision 1. **In-service defined.** As used in this section, the term "in-service education" means all types of education designed to improve the qualifications of teachers at the time that they are employed in teaching and during their summer vacations. The expression is used in contrast with "pre-service education" designed for the education of prospective teachers.

Subd. 2. Provide for county superintendents and teachers. The state teachers college board is granted authority to provide in-service education, on or off-campus, for county superintendents and teachers in rural, village or city schools.

Subd. 3. Credits recognized and evaluated. Credits earned by the students in such in-service education may be recognized and evaluated in terms of the curriculum in which the student is enrolled.

Subd. 4. Tuition. The state teachers college board may fix tuition for such instruction.

Subd. 5. [Repealed, 1951 c 41 s 1]

[1947 c 429 s 1-5; 1949 c 274 s 1-5; 1951 c 41 s 1; 1957 c 576 s 1, 2]

136.045 GENERAL ADULT EDUCATION. Any state college may establish and conduct a program of general adult education. The college shall fix the fees to be paid by the adults enrolled in the program. The fees collected shall be retained by each state college to be administered under the direction of the presidents of the respective colleges subject to audit of the public examiner. The money collected in fees is not subject to laws requiring budgeting, allotment, encumbrance, and deposit with the state treasurer as provided in Minnesota Statutes, Chapter 16.

[1957 c 600 s 1]

136.06 EXPENSES, PAYMENT. No member of the state college board and no person in its employ shall be paid for any expense incurred unless it shall appear that the expense was duly authorized by the executive committee or the president of the board and an itemized, verified account of the same, accompanied by sub-vouchers where sub-vouchers are practicable, is furnished by the claimant and filed with the state auditor for his written audit. Such verification shall state that the expense bill is just and correct and for money actually and necessarily paid or to be paid for the purposes therein stated. If the expense is to be incurred in visiting another state, then, before the visit is authorized or undertaken, the executive committee or president must certify in writing the purpose of the visit, the necessity existing for the same, and the maximum expense to be incurred therefor, which certificate must be presented to the governor for his approval. If he does not approve the same, the visit shall not be undertaken. If the above provisions are complied with, the state auditor shall pay such expense account in the same manner as monthly expenses and salaries are paid under the provisions of sections 136.03 to 136.08.

[1905 c 119 s 5; 1957 c 576 s 1, 2] (3144)

136.07 EXCEEDING APPROPRIATIONS; PENALTY. It shall be unlawful for the state college board to permit any expenditures for any purpose in excess of the amount appropriated or contemplated by law and any member or agent of the board violating this provision shall be deemed guilty of a gross misdemeanor; and, upon conviction thereof, fined not less than \$100, nor more than \$1,000, or be imprisoned in the county jail for not less than six months, or by both a fine and imprisonment.

[1905 c 119 s 6; 1957 c 576 s 1, 2] (3145)

136.08 [Superseded by 1925 c 426; 1939 c 431]

136.09 DEGREES. The state college board shall have authority to award appropriate degrees to persons who complete the prescribed four-year curriculum of studies and the five-year curriculum in teacher education in the state colleges.

[1921 c 260 s 3; 1953 c 428 s 1; 1957 c 576 s 1, 2] (3066)

136.10 MODEL SCHOOLS. The state college board may organize model schools in connection with each state college for illustrating methods of teaching and school government only.

[R L s 1437; 1957 c 576 s 1, 2] (3068)

136.11 TUITION. Subdivision 1. **Charge.** There shall be a charge for tuition to students in state colleges. The board shall fix rates of tuition for pupils in the model schools and the board shall fix rates of tuition for students in state colleges within the minimums and maximums, following:

Not less than \$5 nor more than \$15 during each of the first six quarters.

Not less than \$10 nor more than \$20 for each quarter thereafter.

A session in the summer school is to be regarded as a quarter within the meaning of this section.

Nonresident students at the time of matriculating shall pay an additional tuition fee of \$5 per quarter.

Subd. 2. Fees chargeable. In addition thereto student activity fees shall be charged at the state colleges not to exceed \$15 per quarter, and in the model schools, not to exceed \$5 per quarter.

Subd. 3. [Repealed, 1945 c 394 s 4]

Subd. 4. Student activities. Student activities as the term is used in Laws 1943, Chapter 611, means lecture courses, concerts, and other functions contributing to the mental, moral and cultural development of the student body and community in which they live, athletic activities, including intercollegiate contests, forensics, dramatics and such other activities of any nature as in the opinion of the state college board contribute to the educational, cultural, or physical well being of the student body.

59 6416 23 Subd. 5. **Administration; fees deposited with state treasurer.** All student activity fees collected shall be retained by the president of each state college to be administered under the rules of the state college board by the presidents of the respective colleges subject to audit of the public examiner. Moneys collected as student activity fees are not subject to laws requiring budgeting, allotment, encumbrance, and deposit with the state treasurer provided in Minnesota Statutes 1941, Chapter 16.

[R L s 1438; 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; 1957 c 576 s 1, 2] (3069)

136.12 EDUCATIONAL MANAGEMENT. The educational management of the state colleges is vested in a board of eight directors who, with the commissioner of education, shall constitute the state college board. Such directors shall be appointed by the governor, subject to confirmation by the senate, for a term of four years. The governor shall in like manner fill for the unexpired term all vacancies in the board. There shall be one director resident in each county in which a state college is located and no two shall be residents of the same county.

[R L s 1439; 1957 c 576 s 1, 2] (3070)

136.13 ANNUAL MEETING; OFFICERS. The annual meeting of the state college board shall be held on the second Monday in May. At such meeting it shall choose by ballot a president, whose term of office shall be for two years and until his successor qualifies. In case of vacancy, the governor shall appoint one of the directors president until the next annual meeting and until his successor qualifies. The commissioner of education shall be secretary of the board.

[R L s 1440; 1945 c 367 s 1; 1957 c 576 s 1, 2] (3071)

136.14 DUTIES OF BOARD. The state college board shall have the educational management, supervision, and control of the state colleges and of all property appertaining thereto. It shall appoint all presidents, teachers, and other necessary employees therein and fix their salaries. It shall prescribe courses of study, conditions of admission, prepare and confer diplomas, report graduates of the state college department, and adopt suitable rules and regulations for the colleges. It shall, as a whole or by committee, visit and thoroughly inspect the grounds, buildings, modes of instruction, discipline, and management of each college at least once in each year. It shall report to the governor, on or before December 1 in each even-numbered year, the condition, wants, and prospects of each college with recommendations for its improvement.

[R L s 1441; 1913 c 436 s 1; 1957 c 576 s 1, 2] (3072)

136.141 WORKSHOP COURSES. The state college board is granted authority, in its discretion, to provide refresher and professional workshop courses for teachers in rural, village or city schools in areas contiguous to where such colleges are maintained for instruction of persons to whom the regular instruction now afforded by the colleges is unavailable. Courses of instruction may also be given in cooperation with agencies of the federal government in the interest of national defense.

Credits earned by the students in such courses may be recognized and considered by the state college board.

Tuition shall be fixed by the state college board for such instruction, taking into account the expense to the state in the particular class of course.

[1943 c 519; 1957 c 576 s 1, 2]

136.15 REPORT TO COMMISSIONER OF EDUCATION. The president of each state college shall make an annual written report to the commissioner of education on or before September 1, covering the term year of his school, and setting forth its general statistics, enrollment in each department and in each class of the college department, average attendance, the number graduating within the year, the number of teachers, the departments of each, and the general condition of its buildings, library, and apparatus, the number and names of all graduates then engaged in teaching, as far as known to him and the district or county in which each is teaching, and such other matters and suggestions as he may deem of interest to the public or conducive to the good of the college.

[R L s 1442; 1957 c 576 s 1, 2] (3077)

136.16 COMPENSATION OF BOARD. The directors shall be reimbursed for their actual expenses while engaged in duty for the state colleges out of the current funds belonging to such colleges.

[R. L. s. 1443] (3078)

136.17 SUMMER SESSIONS AT COLLEGES. There shall be held at each college in this state a summer session of 12 weeks under the direction of the state college board. These summer sessions shall be a part of and in all respects be the same as the session now provided for by law. The provisions for attendance at these summer sessions shall be the same as those now in force and the arrangements of the terms in the school year shall be such as to most fully serve the welfare of rural schools. The board may in its discretion and when the interests of the state may be best subserved thereby direct that a shorter session than 12 weeks be held at any state college.

[1907 c 164 s 1; 1909 c 112 s 1; 1957 c 576 s 1, 2] (3079)

136.171 RECEIPTS FROM SUMMER SESSIONS AND OFF-CAMPUS COURSES. All receipts received by the state as a result of or because of conducting of summer sessions and off-campus courses during such summer sessions at the state colleges are hereby reappropriated to the respective colleges receiving such moneys and shall be credited on the books of the state auditor to be available during the fiscal year beginning July 1 during such summer session.

[1949 c 518 s 1; 1957 c 576 s 1, 2]

136.18 INSTRUCTION TO VETERANS. Subdivision 1. **Compensation.** The state college board is authorized to contract with the government of the United States to furnish to veterans who have heretofore served or shall hereafter serve in the armed forces of the United States any instruction or service which is available at a state college to any other person who shall pay the tuition fees and other charges prescribed by law. The reasonable compensation to be paid by the United States to the state therefor shall be determined by the board, taking into consideration the service and things to be furnished by the state and that the designation of the persons to be so instructed and trained is to be determined by the United States government.

Subd. 2. **Qualification of applicant.** The board shall reserve the right to determine that a person designated by the United States to receive such training and instruction is unfit therefor, if such is the judgment of persons charged with such determination for the state, in which case the state college board may refuse to receive such person for instruction.

[1945 c 251; 1957 c 576 s 1, 2]

136.19 EXAMINATIONS, TESTS, AND OCCUPATIONAL DIAGNOSES COVERING VETERANS. Subdivision 1. **Service to federal authorities.** The state college board is hereby authorized to contract in the name of the state with the government of the United States whereby the services of the staffs of any or all of the state colleges and their equipment shall be made available to the end that the state through such colleges shall furnish to the government of the United States examinations, tests and occupational diagnoses and reports covering veterans who heretofore served or who hereafter shall serve in the armed forces of the United States.

Subd. 2. **Meals and lodging included.** It is intended by this section that such board may contract to and may furnish meals and lodgings to such persons who undergo such tests and examinations.

Subd. 3. **Board to fix charges.** The state college board shall determine the sum which shall be paid to the state for such services which shall be not less than \$15 and not to exceed \$20 for each person to be examined and reported, and in addition thereto the board shall fix the charges for such meals and lodging to be furnished at a rate of not less than \$3.25 and not more than \$4 per day.

Subd. 4. **Medical care.** The board may contract further to furnish medical care and treatment for such veterans while undergoing such examination for which it shall charge the actual disbursements which it shall make on account thereof, plus a reasonable sum to cover accounting and such other overhead expense as it shall incur.

Subd. 5. **Fees reappropriated.** The state college board shall collect all sums due the state under contracts made by authority of this section and account therefor as for other moneys collected; but all proceeds of such contracts collected are hereby re-appropriated to the college board for use in carrying on the program herein authorized.

[1945 c 398 s 1-5; 1957 c 576 s 1, 2]

136.20 BOOK STORE. The state college board may allocate space in a college building and permit a person or corporation to conduct a book store therein without rent during the pleasure of the board upon such conditions as may be imposed by the board.

[1949 c 517 s 1; 1957 c 576 s 1, 2]

136.21 EXCHANGE TEACHERS. Subdivision 1. The state college board shall have authority to assign a member of its professional staff to teach in another institution of education beyond the borders of the state of Minnesota; when so assigned, the staff member is an exchange teacher.

Subd. 2. The state college board is authorized to assign a teacher for service in another institution of education beyond the borders of the state of Minnesota in exchange for services of a teacher with qualifications acceptable to the state college board.

Subd. 3. The exchange teacher shall retain all rights under contract with the state college board as though teaching in a Minnesota state college.

[1953 c 597 s 1-3; 1957 c 576 s 1, 2]

136.22 CLASSES ON HOLIDAYS. The state college board is hereby authorized to conduct classes in the several state colleges on either or any of the following holidays: Lincoln's Birthday, Washington's Birthday, Columbus Day, and Veterans Day, provided that when classes are held on Washington's Birthday, Lincoln's Birthday, or Veterans Day, that at least one hour of the school day be devoted to a patriotic observance of that day.

[1953 c 598 s 1; 1957 c 576 s 1, 2]

136.31 STATE COLLEGE BOARD, DUTIES. Subdivision 1. All references in sections 136.31-136.38 to The College Board of the State of Minnesota shall be deemed and construed to include any successor thereof created or established by law. The College Board of the State of Minnesota is hereby authorized to do the following, provided that no obligations shall be incurred, contracts made, or bonds issued unless prior approval of the proposed building or buildings or other facilities and the method of retirement of the bonds has been obtained from the legislature:

(a) acquire by purchase or otherwise, construct, complete, remodel, equip, operate, control, and manage residence halls, dormitories, dining halls, student union buildings and any other similar revenue-producing buildings of such type and character as said board shall from time to time find a necessity therefor exists and as may be required for the good and benefit of any of the State Colleges under the jurisdiction of said board, and for that purpose may acquire property of any and every kind and description, whether real, personal or mixed, by gift, purchase or otherwise;

(b) maintain and operate any such buildings or structures and to charge for the use thereof, and carry on such activities, as are commonly conducted in connection with any such buildings or structures;

(c) enter into contracts touching in any manner or any matter within the objects and purposes of sections 136.31 to 136.38;

(d) acquire building sites and buildings or structures by gift, purchase or otherwise and to pledge the revenues thereof for the payment of any bonds issued for such purpose as provided in sections 136.31 to 136.38;

(e) borrow money and issue and sell bonds in such amount or amounts as said board may determine for the purpose of acquiring, constructing, completing, remodeling, or equipping any such buildings or structures, and acquiring sites therefor, and to refund and refinance the same from time to time as often as it should be advantageous to the public interest so to do. All such bonds shall bear interest at not more than 5 percent per annum and may be sold by said board in such manner as they may deem best in the public interest; provided that no issue of such bonds shall be sold at such price that the interest costs of the proceeds therefrom will exceed 5 percent per annum based on the average maturity of the bonds of such issue and computed according to standard tables of bond values. Such bonds shall be payable solely from and secured by an irrevocable pledge of the revenues to be derived from the operation of any such buildings or structures acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of such bonds and in addition thereto from such other income and revenues described in section 136.33, clause (a) as said board by resolution shall specify, and notwithstanding this limitation all bonds issued hereunder shall have the qualities of negotiable instruments under the laws of this state.

Subd. 2. Such bonds may bear such date or dates and may mature serially at such time or times not exceeding 40 years from their date or dates, may be in such form, carry such registration privileges, may be payable at such place or places, may be subject to such terms of redemption prior to maturity with or without premium, may be delivered to the purchasers at such times and places, and may contain such terms and covenants, not inconsistent with Laws 1957, Chapter 603, all as may be provided by resolution of said board authorizing the issuance of such bonds.

Subd. 3. Such bonds shall be executed by such officers of said board as shall be designated by said board and countersigned by the treasurer of the board who shall be an officer duly elected by the board; provided that at least one of such officers shall sign each bond manually and the other signatures or countersignature thereon and on the interest coupons may be printed, lithographed, stamped or engraved thereon. Any bonds bearing the signature of officers in office at the date of signing thereof shall be valid and binding for all purposes, notwithstanding that before delivery thereof any or all such persons whose signatures appear thereon shall have ceased to be such officers, or that any or all such persons did not hold such offices at the date of such bonds.

Subd. 4. Each such bond shall state upon its face that it is payable solely from and secured by an irrevocable pledge of the revenues derived from the operation of any such buildings or structures acquired, constructed, completed, remodeled, or equipped in whole or in part with the proceeds of the sale of said bonds and from such other income and revenues described in section 136.33 clause (a) as specified in the resolution providing for its issue, and that it does not constitute a debt or obligation of the State of Minnesota within the meaning or application of any constitutional or statutory limitation or provision. Such bonds will be registered by the state auditor in a bond register to be kept for that purpose wherein shall be entered the amount and purpose of issue, the maturity and rate of interest, and the name of the original purchaser.

Subd. 5. Whenever the board shall by resolution determine that there are moneys in the possession of its treasurer not currently needed, or which are set aside in any reserve, the board may in and by such resolution authorize and direct the treasurer to invest a specified amount thereof in treasury bonds or bills, certificates of indebtedness, bonds or notes of the United States of America, all of which must mature not later than three years from the date of purchase. Securities so purchased shall be deposited with and held for the board by the state treasurer. Whenever funds so invested are needed by the board it shall direct the state treasurer to sell the same or a designated amount thereof. All moneys collected thereon by the state treasurer, as principal, interest, or proceeds of sales, shall be remitted by him to the treasurer of the board, and shall be credited to and constitute a part of the fund and account for which the investment was made.

[1955 c 715 s 1; 1957 c 603 s 1; 1957 c 576 s 1, 2]

136.32 BONDS, INVESTMENTS. The state, including the state board of investment, and all counties, cities, villages, incorporated towns and other municipal corporations, political subdivisions and political bodies, and public officers of any thereof, all banks, bankers, trust companies, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking business, all insurance companies, insurance associations and other persons carrying on an insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any sinking funds, moneys or other funds belonging to them or within their control in any bonds issued pursuant to sections 136.31 to 136.38, it being the purpose of this section to authorize the investment in such bonds of all sinking, insurance, retirement, compensation, pension and trust funds, whether owned or controlled by private or public persons or officers; provided, however, that nothing contained in this section may be construed as relieving any person, firm or corporation from any duty of exercising due care in selecting securities for purchase or investment. Such bonds are hereby constituted "authorized securities" within the meaning and for the purposes of Minnesota Statutes, section 50.14, notwithstanding the restrictions in part (c) of subdivision 4 thereof. All bonds issued under sections 136.31-136.38 shall be exempt from all taxation. Interest paid on such bonds shall not be included in

gross income for the purpose of computing any tax imposed by or under any provisions of Minnesota Statutes, chapter 290, or any act amendatory thereof or supplemental thereto.

[1955 c 715 s 2; 1957 c 603 s 2]

136.33 RESOLUTION OF BOARD. Upon the determination by said college board or its successor to acquire, construct, complete, remodel, or equip any student residence halls, dormitories, dining halls, student union buildings, or other similar revenue-producing building or buildings, said board or its successor shall adopt a resolution describing generally the contemplated project, the estimated cost thereof, including legal, engineering and financial expenses and interest on the bonds during the period of constructing the project and for six months thereafter, fixing the amount of bonds, the maturity or maturities, the interest rate, and all details in respect thereof. Such resolution shall contain such covenants as may be determined by said board or its successor as to:

(a) the pledging of all or any portion of the proceeds of any fees imposed upon students for student activities, student facilities, or for other purposes, and the net revenues from other buildings or facilities heretofore or hereafter constructed or acquired at any college under the jurisdiction of said board as additional security for the payment of said bonds;

(b) the regulation as to the use of such buildings or structures to assure the maximum use or occupancy thereof;

(c) the amount and kind of insurance to be carried, including use and occupancy insurance, the cost of which shall be payable only from the revenues to be derived from such buildings or structures;

(d) the operation, maintenance, management, accounting and auditing, and the keeping of records, reports and audits of such buildings or structures;

(e) the obligation of said board or its successor to maintain such buildings or structures in good condition and to operate the same in an economical and efficient manner;

(f) the amendment or modification of the resolution authorizing the issuance of any bonds hereunder, and the manner, terms and conditions, and the amount or percentage of assenting bonds necessary to effectuate such amendment or modification;

(g) such other covenants as may be deemed necessary or desirable to assure the prompt and punctual payment of all bonds issued under sections 136.31-136.38.

[1955 c 715 s 3; 1957 c 576 s 1, 2]

136.34 STUDENT ACTIVITIES, FEES CHARGED. Whenever bonds are issued as provided in sections 136.31-136.38, it shall be the duty of said board to establish charges or fees, including without limitation fees for student activities and fees for student facilities, for the use of any buildings or structures sufficient at all times to pay the principal of and interest on such bonds and to create and maintain suitable reserves therefor and the necessary expenses of the operation and maintenance thereof; and all revenues derived from the operation thereof shall be set aside in a separate fund and accounts as hereinafter provided and shall be irrevocably pledged for and used only in paying the principal of and interest upon the bonds issued for the purpose or purposes set forth and described in the resolution authorizing the issuance of said bonds, and the necessary expenses of the operation and maintenance thereof; and such charges and fees shall be sufficient at all times for such purposes.

[1955 c 715 s 4; 1957 c 603 s 3]

136.35 SPECIAL REVENUE FUND. The gross total income derived from the sale of bonds, and receipts and income derived from charges or fees, rentals, and all other revenue established for the use and service of any such buildings or structures shall, within three days after receipt thereof, be paid to the treasurer of the board and held by him as a special fund known as, "The College Board of the State of Minnesota, Revenue Fund." The treasurer shall be custodian of such special fund, which fund shall be held and disbursed for the purposes provided in sections 136.31-136.38. The said special fund shall be protected by a corporate surety bond executed by the treasurer of the board with a surety authorized to do business under the laws of the State of Minnesota. The amount of such bond shall be fixed by resolution of said college board or its successor and may be in-

creased or diminished at any time. The premiums of such bonds shall be payable from "The College Board of the State of Minnesota Revenue Fund" and charged as an item of maintenance expense.

A certified copy of each resolution providing for the issuance of bonds under sections 136.31 to 136.38 shall be filed with the treasurer of the board, and it shall be the duty of said treasurer to keep and maintain separate accounts in said special fund for each bond issue in accordance with the covenants and the directions set out in the resolution providing for the issuance of said bonds and to disburse funds from the proper account for the payment of the principal of and interest on the bonds in accordance with the directions and covenants of said resolution authorizing the issue thereof. All disbursements for maintenance and operation costs shall be made from the proper maintenance and operation account upon order of said board or its successor in accordance with the covenants set out in the resolution authorizing the issuance of bonds. All disbursements for construction costs shall be made from a separate account in said special fund upon order of said board or its successor in accordance with the covenants set out in the resolution authorizing said bonds.

[1955 c 715 s 5; 1957 c 576 s 1, 2]

136.36 ALLOCATION OF RECEIPTS. All moneys now or hereafter in the College Board of The State of Minnesota Revenue Fund and all income from the operation of such dormitories, cafeterias and student facilities are hereby appropriated first to the payment of expenses of the operation of dormitories, cafeterias and other student facilities from which the revenues so appropriated are derived and second to the payment of the obligations herein authorized.

[1955 c 715 s 6; 1957 c 576 s 1, 2; 1957 c 603 s 4]

136.37 ADMINISTRATION. The administration of sections 136.31 to 136.38 shall be under the state college board independent of other authority and notwithstanding Minnesota Statutes, Chapter 16.

[1955 c 715 s 7; 1957 c 576 s 1, 2]

136.38 CONTRACTS OF BOARD, PERFORMANCE COMPELLED. The provisions of sections 136.31 to 136.38 and of any resolution or other proceedings authorizing the issuance of bonds shall constitute a contract with the holders of such bonds and the provisions thereof shall be enforceable either in law or in equity, by suit, action, mandamus or other proceeding in any court of competent jurisdiction to enforce or compel the performance of any duties required by sections 136.31 to 136.38 and any resolution authorizing the issuance of bonds adopted responsive hereto, including the establishment of sufficient charges or fees for use of any such buildings or structures and the application of the income and revenue thereof; and it shall be the duty of said college board or its successor upon the issuance of any bonds under the provisions of sections 136.31 to 136.38 to establish by resolution from time to time the fees or charges to be made for the use of any such buildings or structures, which fees or charges shall be adjusted from time to time in order to always provide sufficient income for payment of the principal of and interest on such bonds issued as provided for in sections 136.31 to 136.38, and for the necessary expenses of operation and maintenance.

If the existing college board of the State of Minnesota is abolished, all contracts made by said board and all things done or actions taken by said board under sections 136.31 to 136.38 shall be deemed to be contracts of, actions taken and things done by its successor and such successor shall be bound by all such contracts, actions taken and things done by said board and such successor shall be subject to all the obligations and duties of said board under sections 136.31 to 136.38.

[1955 c 715 s 8; 1957 c 576 s 1, 2]

136.41 REVENUE BONDS, ISSUANCE. The state college board of the State of Minnesota or any successor thereof created or established by law, is hereby authorized to issue revenue bonds under and pursuant to and in accordance with sections 136.31-136.38, and acts amendatory thereof and supplemental thereto, and payable solely from the revenue appropriated thereto by said law, in an aggregate principal amount not exceeding \$9,800,000 and to use the proceeds of their sale (a) to redeem and refund all outstanding revenue bonds theretofore issued by said board under said sections and (b) for acquiring, constructing, completing, remodeling or equipping structures to be used for dormitory, residence hall, or food service purposes at the Mankato, St. Cloud, Winona, Moorhead and Bemidji Colleges, including acquisition of any sites needed therefor.

[1957 c 576 s 1, 2; 1957 c 604 s 1]

MINNESOTA STATUTES 1957

136.42 STATE COLLEGES

1308

136.42 MAY APPLY TO FEDERAL HOUSING AND HOME FINANCE COMPANY FOR LOAN. The state college board of the State of Minnesota, or any successor thereof created or established by law, is hereby authorized to apply to the federal housing and home finance agency for a loan or loans aggregating not to exceed \$3,000,000 in principal amount for the purpose of acquiring, constructing, completing, remodeling or equipping revenue-producing buildings, structures or facilities, or sites therefor, to be used for dining halls, food service, student unions, or related revenue-producing facilities at the Mankato, St. Cloud, Winona, Moorhead, and Bemidji Colleges, or any of them, such bonds, when and if issued, to be issued under and in accordance with sections 136.31-136.38 and acts amendatory thereof and supplemental thereto, and to be payable solely from the income and revenues appropriated thereto by said law and as specified in the resolutions authorizing such bonds. Bonds authorized by this section are in addition to the \$9,800,000 authorized by section 136.41, but no bonds shall be issued for the purposes specified in this section until further approval and authorization thereof shall have been obtained from the legislature.

[1957 c 576 s 1, 2; 1957 c 604 s 2]

59 C22

01-8