

# MINNESOTA STATUTES 1947 ANNOTATIONS

343

SCHOOL BOARDS; POWERS AND DUTIES 125.29

## **125.14 DISCONTINUANCE OF SCHOOLS IN CERTAIN DISTRICTS; TRANSPORTATION OF PUPILS.**

Amended by L. 1947 c. 633 s. 2.

Where a common school district provides school bus transportation service for its "non-resident" high school pupils, "family transportation" of one's own children to such high school cannot be charged to the district. *Perszyk v School District*, 212 M 513, 4 NW(2d) 321.

Where school is closed and pupils transported to another district, the school may be reopened next year without an election. OAG May 17, 1945 (161-B-2).

Compensation of teachers under contract when school is discontinued under provisions of section 125.14. OAG Sept. 19, 1945 (172-c-5).

Discontinuance of grade schools and transportation of pupils, except in emergency, is authorized by majority vote of members present at any meeting. OAG Aug. 17, 1944 (161-B-2); OAG April 3, 1946 (161-B-2); OAG July 9, 1946 (187-B-1).

State may not pay transportation aid for transporting pupils to parochial school. OAG July 9, 1946 (166-A-7).

## **125.165 USE OF SCHOOL BUSES BY LOCAL TRANSPORTATION COMPANIES IN EMERGENCIES.**

Governmental liability for tort. 26 MLR 857.

## **125.18 CONTRACTS.**

Persons contracting with school districts are chargeable with the powers and limitations of the officers or districts including all municipal charter provisions. *Doyle v City of St. Paul*, 204 M 558, 284 NW 291.

Escalator clause to cover possible freight rate increase. OAG Sept. 17, 1943 (707-A-1).

Contract of leasing may contain an option to purchase. OAG Jan. 19, 1944 (622-J-16).

In securing fire insurance coverage the city of St. Paul should advertise for bids. 1944 OAG 168, June 17, 1944 (707-A-4).

An improvement being necessary, and the county school board having advertised for bids three times and had no bids, the board may do the work by day labor and purchase materials in the open market. OAG Oct. 5, 1945 (707-A-12).

Where there is but one market at which the article to be purchased is purchasable contracts may be made without advertising. OAG March 27, 1946 (707-A-12).

Individual liability of member for illegal contracts or disbursements. 16 MLR 871.

Competitive bids; professional or technical services. 17 MLR 102.

## **125.21 EMPLOYMENT OF PUBLIC ACCOUNTANTS, CERTAIN CASES.**

Although independent school district may employ accountants on an annual basis an examination by the public examiner may be required based upon petition and representation. OAG Jan. 15, 1943 (159-A-1).

## **125.28 TREASURER; DUTIES.**

The publication of the report of the treasurer of a consolidated district is not mandatory. OAG June 29, 1944 (277-E).

## **125.29 TREASURER'S BONDS.**

Statutes governing the duties of school treasurer and succession to the office must be considered in determining liability under fidelity bond summary "until

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344

successor is elected and has qualified." The bond contract must be construed in accordance with the rules of interpretation where the contract is made. *American Surety v Ind. District*, 53 F(2d) 178.

In determining the amount of bond, United States treasury bonds constitute "money." OAG Aug. 23, 1944 (451-A-5).

Treasurer's bond must be renewed each succeeding term. OAG Dec. 14, 1945 (451-A-14).

The treasurer must furnish a surety bond in the maximum amount of money to be on hand at one time, and bonds on hand or deposited with the federal reserve bank will not reduce the amount of the bond. OAG May 22, 1946 (451-a-5).

The bond of the treasurer must be in sufficient amount to cover moneys and bonds in the hands of the treasurer or on deposit; except that bonds in possession of the county or state treasurer, and which may be withdrawn only on resolution by the school board, need not be covered by school treasurer's bond. OAG June 27, 1946 (451-a-5).

The county auditor is forbidden to deliver any tax settlement or state aid warrants over to the school treasurer until his bond is on file, but should the warrant exceed in amount the amount of the bond, the county auditor must deliver it nevertheless. OAG Sept. 30, 1946 (451-a-5).