

H. F. No. 36.

CHAPTER 122.

State board
of control.

An act to create a state board of control, and to provide for the management and control of the charitable, reformatory and penal institutions of the state, and to make an appropriation therefor, and to abolish the state board of corrections and charities.

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

Nomination.
Term of
office.
Salaries.
Removal.
Vacancies.

SECTION 1. Nomination—Term of Office—Salaries—Removal—Vacancies.—The governor shall, prior to the adjournment of this session of the legislature, appoint, by and with the consent of the senate, three electors of the state as members of a board, to be known as a "Board of Control of State Institutions." Said members shall hold office, as designated by the governor, for two, four and six years, respectively. Subsequent appointments shall be made as above provided, and, except to fill vacancies, shall be for a period of six years, and until their successors are appointed and qualified. The board shall at all times be subject to the above limitations and restrictions. The chairman of the board for each biennial period shall be the member whose term first expires, and each member thereof shall receive a salary of three thousand five hundred (3,500) dollars per annum. The governor may remove any member of the board for malfeasance or nonfeasance in office, or for any cause that renders him ineligible to appointment, or incapable, or unfit to discharge the duties of his office, and his removal when so made shall be final. When, for any cause, a vacancy occurs, the governor shall appoint an elector to fill the vacancy for the unexpired term, subject, however, to the action of the senate when next in session.

Oath.
Bond.
Examina-
tion.
Witnesses.

SEC. 2. Oath—Bond—Examination—Witnesses.—The members of the board of control, before entering upon the duties of their office, shall take and subscribe the oath or affirmation to support the constitution of the United States and that of this state, and to faithfully discharge the duties required of them by law, and each shall devote his whole time to the duties of his office. Before entering upon the duties of his office each member shall give an official bond in the sum of twenty-five thousand (25,000) dollars, conditioned for the faithful discharge of his duties under this act, signed by sureties, to be approved by the governor, and, when so approved, said bond shall be filed in the office of the secretary of state.

The acceptance by any member of said board of control of any other lucrative office in the state during his term of service shall operate as a forfeiture of his said office as member of said board of control, and create a vacancy therein. The said board of control shall be subject to the examination of the public examiner of this state. The claim that any testimony or evidence sought to be elicited or produced on such examination may tend to criminate the person giving or producing it, or expose him to public ignominy shall not excuse him from testifying or producing evidence, documentary or otherwise; but no person shall be prosecuted or subjected to penalty or forfeiture for or on account of any matter or thing concerning which he may testify or produce such evidence, provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying. Within ten days after the appointment and qualification of the members of the board, it shall organize and assume the duties vested in said board, but shall not exercise full control of the institutions until August 1, 1901.

SEC. 3. Conference—Recommendations.—The board shall, after its creation, meet in conference, as often as it may determine, the superintendents, wardens and other executive officers of each of said institutions, or as many thereof as it deems practicable, and consider in detail all questions of management, and the methods to be adopted to secure the economical management of the several institutions, and shall send to such officers such recommendations in regard to the management and improvement of the institution as may be necessary or advisable, and the board is vested with power to enforce such recommendations and directions. The chairman of the board of control shall preside at such meetings, and full minutes thereof shall be preserved by the secretary of such board, who shall be secretary of such meetings.

Conference.
Recommen-
dations.

SEC. 4. Official Seal.—The board shall have an official seal, and every commission, order or other paper executed by the board shall, under its direction, be attested with its seal affixed by the secretary, or any member of the board.

Official seal.

SEC. 5. Officers—Secretary—Salary—Supplies—Reports.—The board shall be provided by the proper authorities with suitably furnished offices at the seat of government, and shall employ a competent secretary, who shall receive a salary not to exceed two thousand (2,000) dollars per annum; and may also hire a stenographer and such other employes as may be necessary. The board

Officers.
Secretary.
Salary.
Supplies.
Reports.

shall, by the proper authorities, be also furnished with all necessary books, blanks, stationery, printing, postage stamps, and such other office supplies as are necessary. The members of said board shall report to the governor in August of each alternate year, and before the meeting of the legislature, and as much oftener as the governor may require, or they may deem necessary, the condition and wants of the several institutions under their charge. The biennial report shall be accompanied by the reports of the superintendents, stewards and treasurers of the several institutions. They shall account for the disbursements for the biennial period just ended, and submit an estimate of the current expenses of the several institutions for the ensuing biennial period, and an estimate of the appropriations needed for building, repairing, and other purposes.

SEC. 6. Institution Officers—Term of Office—Removal—Qualification.—It shall be the duty of the board to appoint a superintendent, warden, or other chief executive officer of each institution under the control of the board; the superintendent, warden or other chief executive officer of any of the institutions named may be removed by the board for misconduct, neglect of duty, incompetency or other proper cause, showing his inability or refusal to properly perform the duties of his office, but such removal shall be had only after opportunity is given to such person to be heard before such board upon preferred written charges, but the removal, when made, shall be final. The superintendent, warden, or other chief executive officer now in charge of the several institutions placed under the control of this board, and who is now holding under a contract for a definite term, shall continue in office until the expiration of such term or contract, unless removed by said board for some cause which would make the continuance in office of such warden or chief executive officer detrimental to the public service. No such removal shall be made until the employe concerned shall be given a hearing before the said board; the decision of said board, when made, shall be final. The officers of the several institutions shall have the qualifications and perform the duties now or hereafter imposed by law, or the rules to be prescribed by said board of control. In case of an apparent conflict between the powers conferred by law upon any executive officer of a state institution and the powers conferred by this act upon the said board of control, there shall be a conclusive presumption that the power belongs to the said board unless the same is delegated by it to said executive officer.

Institution
officers.
Term of
office.
Removal.
Qualifica-
tion.

SEC. 7. Assistants—Discharged—Institution Salaries.—The superintendent, warden or other chief executive officer of the several institutions shall appoint all assistants, guards and employes required in the management of the institution, the number of whom shall be determined by the board. The chief executive officer may discharge any person employed, but shall keep in the record of employes the date of such discharge, and shall place opposite his name his reason therefor. Any member or officer of the board of control, or any officer or employe of a state institution, subject to this board, who, by solicitation or otherwise, exerts his influence, directly or indirectly, to induce other officers or employes of the state to adopt his political views or to favor any particular person or candidate for office, or to contribute funds for campaign or political purposes, shall be removed from his office or position by the proper authorities.

Assistants,
Discharged,
Institution
Salaries.

The board shall fix the annual or monthly salaries of all the officers and employes in the several institutions, except such as are fixed by the legislature. The board shall classify the officers and employes into grades, and the salaries to be paid any grade shall be uniform in similar institutions in the state. The salaries and wages shall be included in the monthly estimates, as hereinafter provided, and paid in the same manner as other expenses of the several institutions.

SEC. 8. The board shall advertise for and receive competitive bids from architects to prepare plans, specifications, estimates and details for buildings, betterments, equipment exceeding five hundred dollars in value, which may be necessary in any of the institutions, and supervising the work of construction on all buildings, betterments and improvements done at institutions under the control of the board. The architect whose plans, specifications and estimates shall be adopted by said board shall receive such compensation as said board may specify in its advertising for such bids.

Bids for
Contracts.

SEC. 9. Official Bonds.—It shall be the duty of the board of control to require its secretary and each officer and employe of said board, and of every institution under its control, who may be charged with the custody or control of any money or property belonging to the state and who is not now required by statute to give bond, to give an official bond to the State of Minnesota, properly conditioned and signed by sufficient sureties, in a sum to be fixed by the board, which bond shall be approved by the board and filed in the office of the secretary of state.

Official
bonds.

2 . . . 3

Traveling
expenses.
Governor's
approval.

SEC. 10. Traveling Expenses—Governor's Approval.—In addition to the salaries paid the members of the board and the secretary or other employes, they shall be entitled to the necessary traveling expenses, by the nearest traveled and practicable route, incurred in going from St. Paul to places in the state when on official business. No expenditure for traveling expenses to other states except as authorized by law, shall be made by the board, or by any officer or agent thereof, or by any officer employe or agent of any state institution subject to this board, unless the authority to make such trip is granted at a meeting of the board of control upon a written resolution, adopted by the board, which shall state the purpose of such trip, and the reason the same is deemed necessary. Said resolution, if adopted, shall then be submitted to the governor for his written approval, and if he does not approve the same, such trip shall not be made at the expense of the state.

Itemized
statement.
Verification.
Payment of
salaries.

SEC. 11. Itemized Statement—Verification—Payment of Salaries.—Before any expenses of the members of the board, any officer or agent thereof, or before any expenses incurred by others under the direction of the board, or the expenses of any officer or employe of any institution under the charge of the board, shall be paid, a minutely itemized statement of every item of expenditure, accompanied by duly receipted sub-vouchers, shall be presented to the state auditor, duly verified, which verification shall aver that the expense bill is just, accurate and true, and is claimed for cash expenditures, or cash disbursements, truly and actually made and paid to the parties named, as shown by said statement. Unless the statement is so verified, and duly audited, payment thereof shall not be had. The expense bills of the members of the board, the secretary and its other employes, when so verified, shall be presented to the state auditor for his written audit, before payment is made. The salaries and such actual expenses of the board, and of the secretary and other officers, and the salaries of other employes shall be paid monthly by the state treasurer upon the warrant of the state auditor.

Rules.
Additional
duties.

SEC. 12. Rules—Additional Duties.—The board of control is hereby authorized to formulate and prescribe reasonable rules and regulations defining the duties and providing for the government of the superintendent, officers and employes of the several institutions, and the said board is authorized to make its own rules for the proper execution of its powers, and may require the performance of additional duties by the officers of the sev-

eral institutions, so as to fully enforce the requirements intents and purposes of this act, and particularly so much thereof as relates to the making of the estimates and furnishing proper proofs of the expenditures or use of all stocks of subsistence and supplies.

SEC. 13. Books and Accounts.—The board shall keep at its office a proper and complete system of books and accounts with each institution, which shall show every expenditure authorized and made thereat and said books shall exhibit an account of each extraordinary or special appropriation made by the legislature, with every item of expenditure thereof.

Books and
accounts.

246.4

SEC. 14. Uniform System of Records and Accounts—Expert Help.—The board shall prescribe forms of records and the kind of accounts to be made and kept by the institutions specified in section nineteen of this act. In providing for the books of accounts the said board shall establish as uniform a system as possible, compelling similar institutions to keep similar books in the financial operations of such institution; and the board shall institute the keeping of a perfected system of accounts, and requisitions showing the purchase, storing and consumption of supplies for subsistence, construction or other purposes. For the purpose of establishing said system of accounts the board is authorized to employ competent and expert help, and to inaugurate in the institutions on August 1, 1901, the most modern and complete method of accounts.

Uniform
system of
records and
accounts.
Expert
help.

SEC. 15. Collection of Information—Bulletins—Forms.—The board shall gather and present information embodying the experience of charitable, reformatory and penal institutions in this and other countries, regarding the best and most successful methods for caring for the insane, delinquent and criminal classes. And it shall encourage and urge the scientific investigation of the treatment of insanity and epilepsy by the medical staffs of the insane hospitals, and the Minnesota Institute for Defectives, and shall publish from time to time bulletins and reports of the scientific and clinical work now done in said institutions, or which it may require to be done therein. It shall also provide for the several institutions the forms for statistical returns to be made by them in their annual and other reports. Provided, however, the expense authorized in carrying out the provisions of this section shall not exceed five hundred (500) dollars per annum.

Collection
of
information.
Bulletins.
Forms.

246.5

SEC. 16. Biennial Report.—The board shall make reports to the governor and legislature of its observations and conclusions respecting each and every of the institu-

Biennial
report.

tions named, including the regular biennial report to the legislature covering the biennial period ending July 31st preceding the regular session of the legislature. Said biennial report shall be made not later than November 15th in the year preceding the meeting of the legislature and shall also contain the reports which the executive officers of the several institutions are now or may be by the board required to make; also a statement of the visitations to the several institutions, and when and by whom made.

Such biennial report shall be published under the direction of the state expert printer, to be paid for out of the appropriation for public printing.

Contents of
biennial
report.
Daily
record.

SEC. 17. Contents of Biennial Report—Daily Record.—The board shall publish in its biennial report to the legislature the name and salary of every employe of said board, the name and salary of each officer and employe in the several institutions subject to its control. It shall be the further duty of the board to require the proper officer of each institution to keep in a book prepared for the purpose a daily record to be made each day, of the time and number of hours of service of each employe, and the monthly pay roll shall be made from such time book, and shall be in accord therewith. When an appropriation is based on the number of inmates in or persons at an institution, the board shall require a daily record to be kept of the persons actually residing at and domiciled in such institution.

Institutions
under board
of control.
Powers.

SEC. 18. Institutions Under Board of Control—Powers.—The board of control shall supersede and take the place of the state board of corrections and charities, the board of trustees for the hospitals and asylums for the insane, the board of directors of the Minnesota Institute for Defectives, so far as said board has power and control over any institution other than the schools for the deaf and the blind, the board of managers of the state training school for boys and girls, the board of managers of the Minnesota reformatory and the board of managers of the state prison. The board of control shall have full power and authority to perform all the duties according to existing laws now devolving upon the above mentioned boards, which are not inconsistent with, or repealed by this act. The board of control have full power to manage, control and govern, subject only to the limitations contained in this act, the Minnesota state prison, Minnesota state training school for boys and girls, Minnesota state reformatory, the state hospitals and asylums for the insane, the Minnesota institute for defectives, except

the schools for the deaf and the blind. The board of control shall have and exercise full authority in all financial matters of the state university, the state normal schools, the state public school, the schools for the deaf and the blind. The said board of control shall disburse all public moneys of the several institutions named, and shall have the same authority in the expenditure of the public moneys appropriated therefor, as in the other institutions named in this bill, except as hereinafter otherwise provided, and such board shall appoint a purchasing and disbursing officer or officers for such institutions. Said board of control shall also have supervision of the construction of all buildings and betterments erected at the cost of this state, but shall co-operate with the local boards of the different institutions in the preparation of plans and specifications therefor. Such board of control however, shall not have control over or authority to disburse any private donations or bequests made by gift or devise by any private individual, to any educational institution of this state, but said private gifts or donations or bequests shall, unless otherwise directed by the terms of such gift or bequest, be applied by such various boards of the said educational institutions, to the use proposed by the terms of the gift. But the various boards now in charge of the several educational institutions shall have and retain the exclusive control of the general educational policy of said institution, of the courses of study, the number of teachers necessary to be employed, and the salaries to be paid; and such various boards shall have the exclusive right to employ or dismiss the teachers and others engaged in carrying on the functions of said institutions and shall also have the exclusive control of the grounds, buildings and other public property of their several institutions, and of all other matters connected with said institutions, except as herein specifically reserved to said board of control. All contracts with employes of said educational institutions and a concise statement of all supplies needed shall be reported by the board in charge of said several institutions to the said board of control, and provision shall be made by said board of control, by suitable rules, for the payment of the salaries of such employes, and any expenses incurred by the members of said local board and for the purchase of all necessary supplies by such purchasing agent to be appointed as herein provided, as in the case of the other public institutions of this state.

Financial control of educational institutions.

Not to control donations and bequests.

Powers of institution boards.

SEC. 19. Powers—Duties—Annual Statement—Repeal—Uniform System of Books.—The boards of trus-

Powers.
Duties.
Annual
statement.
Repeal.
Uniform
system
of books.

tees, boards of control and commissioners, now charged with the government of the institutions named in section eighteen hereof and the state board of corrections and charities shall, on and after August 1, 1901, have no further legal existence. All trustees now in office shall continue in office until August 1, 1901. The board of control shall establish a uniform system of books and accounts for state institutions as hereinbefore provided, and cause the same to be examined at least once in each year by the public examiner and annually require settlement with the officers of each state institution. Nothing herein contained shall limit the general supervisory or examining powers vested in the governor by the laws or constitution of the state, or that vested by him in any committee appointed by him. The board of control shall prepare annually for publication a statement of the cost for the preceding year of maintaining each of said institutions including improvements, itemized so far as practicable and so arranged as to show the cost of the various kinds of provisions and supplies. This statement shall be published under the direction of the state expert printer, to be paid for out of the appropriation for public printing.

Investigation.
Witnesses.
Contempt of
court.

SEC. 20. Investigation—Witnesses—Contempt of Court.—It shall be the duty of said board, or a committee thereof to visit and inspect at least once in six months, the institutions named, and investigate the financial condition and management of such institutions; and in aid of any investigation the board shall have the power to *summon and compel the attendance of witnesses*; to examine the same under oath, which any member thereof shall have the power to administer; and shall have access to all books, papers and property material to such investigation, and may order the production of any other books or papers material thereto. Witnesses other than those in the employ of the state shall be entitled to the same fees as in civil cases in the district court. The claim that any testimony or evidence sought to be elicited or produced on such examination may tend to criminate the person giving or producing it, or to expose him to public ignominy, shall not excuse him from testifying or producing evidence, documentary or otherwise; but no person shall be prosecuted or subjected to any penalty or forfeiture for and on account of any matter or thing concerning which he may testify or produce such evidence, provided that he shall not be exempted from prosecution and punishment for perjury committed in so testifying, And it shall be the duty of the board to cause the testimony so taken to be transcribed and filed in the office

of the secretary of the board at the seat of government, within ten days after the same is taken, or as soon thereafter as practicable, and when so filed the same shall be open for the inspection of any person. Any person failing or refusing to obey the orders of the board issued under the provisions of this section, or to give or produce evidence when required, shall be reported by the board to the district court, or any judge thereof, and shall be dealt with by the court or judge as for a contempt of court.

SEC. 21. Monthly Visitation—May Appoint a Woman.—The board by committee or its secretary shall visit each hospital or asylum for the insane once each month. If the board deem it prudent, it may appoint a woman who resides within the state, whose duty it will be to visit such hospital or asylum, when directed by the board, and to report to the board, and who shall be paid such compensation from the funds hereby appropriated as is deemed reasonable, by the board, upon proper audit of the bill for such services and expenses.

Monthly
visitation.
May ap-
point a
woman.

SEC. 22. Board To Inspect—What—Examination of Witnesses. —The board, or any member thereof, at the stated visits to any of the institutions under its control, shall inspect every part of each institution, and all places, buildings and grounds belonging thereto, or used in connection therewith. They shall make an examination of the general and special dietary, the stores and methods of supply; as far as circumstances may permit, they shall see every inmate of the charitable institutions, especially those admitted since the preceding visit, and shall give such as may require it suitable opportunity to converse with the members of the board, apart from the officers and attendants. They shall, if deemed necessary, examine under oath the officers, attendants, guards and other employes, and make such inquiries as will determine their fitness for their respective duties.

Board to
inspect.
What.
Examination
of wit-
nesses.

SEC. 23. Report To Governor—Failure Ground For Removal.—The board shall investigate and report to the governor any abuses or wrongs which exist in the said institutions referred to in this act, and any failure to comply with the provisions of this act shall be good ground for removal, and any failure or neglect to faithfully comply with the provisions of this section shall be sufficient reason for removing any member of said board from office.

Report to
governor.
Failure
ground for
removal.

SEC. 24. Triplicate Estimates—Revision—Purchase of Supplies.—The superintendent, warden, or other managing officer, as may be designated by the board of control, shall, on or before the fifteenth day of each month, cause to be prepared triplicate estimates in minute detail,

Triplicate
estimates.
Revision.
Purchase of
supplies.

including estimated cost of each item, of all the expenditures required for the institution for the ensuing month. Such estimates shall also include a statement of the sources and amount of all the revenues received by the said institution and accounted for to the state treasurer on the first day of each month. Two of such triplicate estimates shall be sent to the office of the board, and the third shall be kept by said superintendent, warden, or other managing officer. The board may revise the estimates for supplies or other expenditures, either as to quantity, quality, or the estimated cost thereof, and shall certify that it has carefully examined the same, and that the articles contained in such estimate as approved by it are actually required for the use of said institution. When the estimates have been so certified and revised, a copy of such revised estimate, duly certified, shall be sent to the institution, and another copy retained by the board. The certified copy sent to the institution shall be sufficient authority to the management of the institution to purchase the supplies enumerated in said estimate at prices not to exceed those therein named and not otherwise. Said supplies shall be so purchased as to permit at least thirty days' time to pay therefor, and the steward, clerk or other officer of the institution designated by the board, shall require itemized bills to be rendered by the persons who furnished supplies, in duplicate, for all purchases, whether made upon contract or otherwise, which shall be in the following form:

The State of Minnesota, on account of the.....
..... institution.

(Date).....

To, Dr. (here insert an itemized account of the goods or property purchased.)

.....
State of.*.....

ss.

County of.....

I, on oath say that the foregoing bill of account is correct and just, and wholly unpaid; that exact consideration therein charged for was received by said institution; that neither the same nor any part thereof has since been commuted; and that neither bonus, commission, discount, nor any other consideration, directly or indirectly, has been given or stipulated, within my knowledge or belief, because of the purchase thereof, as therein set forth, or for any other reason. (To be signed by the person having personal knowledge of the facts therein set forth.)

.....

Sworn to and subscribed before me this..... day of.....

I hereby certify that the above account is correct, and that the articles therein charged have been received in good order by the.....institution.

Steward, clerk or other designated officer.

It shall be endorsed as follows:

No.....institution.

\$.

Passed upon by the board of control on the..... day of and ordered paid.

Secretary of the board of control.

SEC. 25. Monthly Statement—Affidavit.—The steward, clerk or other officer, who may be designated by the board, shall prepare a monthly statement showing purchases and expenditures of every kind for the preceding month, which shall be signed by such officer, approved by the chief executive officer of the institution, and filed with the board on a day certain to be fixed by said board. Attached thereto shall be the affidavit of such steward, clerk or officer, as the case may be, stating that the goods and other articles therein specified were purchased and received by him or under his direction at the institution, and were purchased at a fair, cash, market price, on credit not exceeding thirty days, and that neither he nor any person in his behalf had any pecuniary or other interest in the purchases made, or received any pecuniary or other benefit therefrom, directly or indirectly, by commission, percentage, deductions, or in any other manner whatever, and that the articles contained in such bill conformed in all respects to the invoiced goods received and ordered by him, or the samples from which the goods were purchased, both in quality and quantity. If any invoice or statement, or part thereof, is found objectionable, the board shall indorse its disapproval thereon, with its reasons therefor, and return it to the management of the institution, and when the matter complained of is corrected, said statement and invoice shall be returned to the board.

Monthly statement. Affidavit.

SEC. 26. Pay Roll—Triplicate Abstract.—When the monthly statement is so made, approved and verified, it shall be forwarded to the board of control, together with the original invoices of the purchases, and a complete and itemized statement of every expense of said institution, including the receipted pay roll, for the examina-

Pay roll. Triplicate abstract.

tion and auditing of the board, which board shall fix a regular time for the auditing of the accounts of the institution for the preceding month. The monthly pay roll of each institution shall show the name of every officer and employe, when first employed, the monthly pay, time paid for, the amount of pay, and any deduction for the careless loss or destruction of property. This requirement shall be observed in all cases, and in no event shall a substitute be permitted to receive compensation in the name of the employe for whom he is acting. When the said accounts are audited, the secretary of the board shall, under the seal of the board, prepare in triplicate an abstract showing the name, residence and amount due each claimant, and the institution and the fund thereof on account of which the payment is made. He shall deliver one copy thereof to the state auditor, another to the state treasurer, and the third shall be retained in the office of the board. Upon such certificate the state auditor shall, if the institution named has sufficient funds, issue his warrant upon the state treasurer for the gross amount, as shown by such certified abstract. Said last named officer, upon being furnished by the board with a certified copy of such abstract as herein provided, shall send checks of the state treasurer to the several persons for the amounts of their respective claims, as certified by the board of control. The state treasurer shall preserve in his books a record of each check and remittance in the proper manner, showing the date of the issuance of each check, the name of the person to whom it was made payable, and such other data as may be evidence for the state showing the payment of such indebtedness. The pay roll for each institution can be paid by a single check sent to the steward, clerk, or other officer designated by the board of control. If the state treasurer shall require more clerical help because of this enactment, he is hereby authorized to employ an assistant.

SEC. 27. Biennial Estimates of Special Appropriations.—The board shall prepare for the use of the legislature, biennial estimates of appropriations necessary and proper to be made for the support of the said several institutions, and for the extraordinary and special expenditures for buildings, betterments, or other improvements.

SEC. 28. Suggestions for Legislation.—The board shall incorporate in its report to the legislature, suggestions respecting legislation for the benefit of the several institutions, or for the dependent, defective or criminal

Auditor's
warrant
and treasurer's
check.

Biennial
estimates of
special ap-
propriations.

Suggestions
for legis-
lation.

classes of the state. The board and its secretary shall on request, attend the meetings of legislative committees to which such questions may be submitted for consideration, and furnish such committees such information in regard to its doings and the conduct of such institutions as may be demanded.

SEC. 29. All Plans and Specifications Limited to Amount of Appropriations—Penalty.—The board shall prepare plans for all betterments, improvements or buildings costing more than one thousand dollars (\$1,000) for which it may recommend an appropriation, but when an appropriation for any amount has been made, there shall be no expenditure thereof until the board has secured suitable plans and specifications, prepared by a competent architect, and accompanied by detailed statement of the amount, quality and description of all the material and labor required for the completion of said structure; and no plan or plans shall be adopted, and no betterments, improvements or buildings constructed, that contemplate the expenditure of more money for completion than the amount appropriated by the legislature therefor, unless exempted from the provisions of this act by the act making such appropriation. In no event shall the board direct or permit an expenditure for any such purpose in excess of the amount appropriated by law or contemplated by the statute, and the members of the board, its officers and agents, violating this provision, shall be guilty of a misdemeanor, and on conviction the offender shall be fined in any sum not less than two hundred dollars, nor more than five thousand dollars, in the discretion of the court, or imprisoned in the county jail not exceeding one year, or by both such fine and imprisonment.

All plans and specifications limited to amount of appropriations. Penalty.

SEC. 30. Contracts.—Contracts may be entered into under the direction of the board of control by the proper officers of one or more of the institutions for staples and other articles of supplies, as may be found feasible by the board for the institutions to purchase in bulk for use or consumption for periods longer than thirty days. Such contracts shall not, however, be made except in conformity with the provisions of this act relating to estimates. The board of control may, whenever it deems it for the best interests of the state, contract for the purchase of staples or other articles of supplies, in bulk or otherwise, for any or all of the institutions under its control, and nothing elsewhere provided in this act shall be held to restrict or limit the power of the said board to so contract.

Contracts.

Purchase of
supplies.

SEC. 31. *Purchase of Supplies.*—It shall be the duty of the board to make specific rules and regulations respecting the manner in which supplies shall be purchased and contracts made for the several institutions, so as to insure the competition and publicity necessary to secure the economical management of each institution. Jobbers or others desirous of selling supplies to an institution shall, by filing with the chief executive officer of such institution, and with the secretary of the board, a memorandum showing their address and business, be afforded an opportunity to compete for the furnishing of the supplies under such limitations and rules as the board may prescribe. In purchasing all supplies Minnesota dealers shall have the preference, when such can be given without loss to the state. When samples are furnished, the same shall be properly marked and preserved for six months after purchase of such merchandise.

Letting of
contracts.
Labor of
inmates
utilized.

SEC. 32. *Letting of Contracts—Labor of Inmates Utilized.*—Contracts for the erection, repairs or improvements of buildings, grounds, or properties of the institutions under the charge of this board, and for which appropriations have been made or may be made by the legislature, must be let for the whole or any part of the work to be performed, by the chief executive officer of the institution, subject, however, to the same rules and regulations as herein provided for the furnishing of estimates by said institution to, and the approval and revision thereof by the board of control.

Less than
\$300 without
contract.

If the cost of the erection or betterment is not in excess of three hundred (300) dollars, the board may permit the management of the institution to construct the same by day's labor, without contracting the work. All plans or specifications for the said erections, repairs and improvements, shall be prepared under the board's direction.

The board shall determine to what extent and for what length of time, and by what means advertisements are to be inserted in newspapers for proposals for the said erections, repairs or improvements.

Contracts to
lowest
bidder.

All contracts shall be awarded to the management of the institution to the lowest responsible bidder, subject to the provisions of this act, and the approval of the board, prior to the execution of the contract. The management of the institution has the right to reject any and all bids, and to readvertise, upon the approval of the board. A preliminary deposit of money or certified check upon a solvent bank in such amount as the board may prescribe, shall be required as an evidence of good faith upon all proposals for the construction of said buildings,

repairs and improvements, which deposit or certified check shall be held by the management of the institution, under the direction of the board. The provision of this section which requires all work to be let by contract shall not be mandatory as to the labor on the construction work at the penitentiaries, but the board shall establish such rules and enforce the provisions of this act so that the construction work at the penitentiaries shall be performed in a manner agreeable thereto, with the strictest accountability exacted in the consumption of all supplies for construction purposes, and in the expenditure of the public moneys.

On proper representations the board is authorized to construct the erections, betterments and improvements at other institutions, that the work of inmates may be utilized, if it is found to be advantageous to the state, and a substantial saving made, but the attempt to use such labor shall not permit a substantial departure from the requirements of this section; and in no case shall any expenditure be made except on estimates submitted to and approved by the board as provided herein. No payment shall be authorized for construction purposes until satisfactory proof has been furnished to the board of control, by the proper officer or supervising architect, that the contract has been complied with by the parties; and all payments shall be made in a manner similar to that in which the current expenses of the several institutions are paid.

When work
of inmates
may be
utilized.

SEC. 33. Record—Transfer—Managing Officer.—The board shall keep in its office, accessible only to the members, secretary and proper clerks, except by consent of the board or on the order of a judge or court of record, a record showing the residence, sex, age, nativity, occupation, civil condition and date of entrance or commitment of every person, patient, inmate or convict in the several institutions governed by the board, the date of discharge of every such person from the institution, and whether such discharge was final, and the condition of the person at the time he left the institution.

Record.
Transfer.
Managing
Director.

The record shall also indicate if a person is transferred from one institution to another, and to what institution; and if dead, the date and cause of death. This information shall be furnished to the board by the several institutions, and such other obtainable facts as the board may from time to time require.

It is the duty of a managing officer of each institution, who shall be named by the board, within ten days after commitment or entrance of a person, patient, inmate or

Manager to
see new
inmates.

convict to the institution, to cause a true copy of his entrance record to be made and forwarded to the office of the board of control. When a patient or inmate leaves or is discharged, transferred, or dies in any institution, the superintendent or person in charge shall within ten days thereafter, send such information to the office of the board, all of which information shall be furnished on forms which the board may prescribe.

It shall be the duty of all officers of said institutions whose duty it is to make reports to the governor or other officer, at the present time, to make them hereafter to the board of control.

SEC. 34. Power To Transfer.—The board may transfer the inmate in any hospital or asylum to any other hospital or asylum at the expense of the state, and shall see that proper record thereof is made at the hospitals or asylums, and in the office of the board.

SEC. 35. Questionable Commitments.—The superintendents for the hospitals for the insane and the Minnesota institute for defectives are required to immediately notify the board if there is any question as to the propriety of the commitment or detention of any person received at such institutions, and said board, upon such notification, shall inquire into the matter and take such action as may be deemed proper in the premises.

SEC. 36. Funds of Inmates—Care Of.—It shall be the duty of each superintendent or managing officer of the several institutions named in this act to have the care and custody of any funds belonging to inmates of said institutions which may come into his hands, to keep accurate accounts of such funds in books provided for that purpose, and to pay out such funds under such rules and regulations as may be established by law or prescribed by the board of control, taking proper vouchers therefor in all cases; and every such superintendent shall give bond in such sum as may be required by law, or prescribed by the board of control, conditioned upon the faithful performance of his duties, and the due accounting for the funds entrusted to his care.

SEC. 37. Moneys Remitted to State Treasurer.—It shall be the duty of every officer and employe of the several institutions named in this act, to pay over to the superintendent of the institution without delay any funds which may come into his hands belonging to any inmate of the institution, and to pay over to the accounting officer of the institution without delay any funds which may come into his hands belonging to the institution. It shall be the duty of the accounting officer of

power to transfer.

questionable commitments.

funds of inmates, care of.

moneys remitted to state treasurer.

each institution, at the close of each month, or oftener, to forward to the board of control a statement of the amount of the same and the sources from which it has arisen.

It shall be the duty of the board of control upon receiving such statement to transmit the same to the state auditor, who upon receipt thereof, shall place in the hands of the state treasurer a draft for the amount upon the accounting officer specifying the fund to which the same is to be credited, and upon payment of such draft to place the amount so received to the credit of such institution, adding it to any appropriations that may have been previously made by the legislature for the said institution, distributing it to the several appropriations from which it may have been received, or to the current expense appropriation, according to his discretion.

SEC. 38. Protection Against Fire—Means of Escape.—It shall be the duty of the board to compel the superintendent, warden, or other chief executive officer of each of the institutions under the control of the board to provide at each institution adequate and ready means of protection against fire, and to construct proper means of escape for the inmates and attendants where the same are not already constructed, and to establish and enforce rigid rules and regulations, by which the danger of fire shall be minimized, and prevent, as far as possible, injury to the persons of the inmates, and the loss or destruction, by any cause, of the property of the state.

Protection
against
fire; means
of escape.

SEC. 39. Inventory of Stock and Supplies.—The board shall require on or before September 1, 1901, the chief executive officer of each institution under its charge to make a complete, minute and accurate inventory of the stock and supplies on hand, the amount and value thereof, which inventory shall be under the following heads: Live stock, produce of the farm on hand, carriages and vehicles, agricultural implements, machinery, mechanical fixtures, real estate, beds and bedding in inmates' departments, other furniture in inmates' departments, personal property of the state in superintendent's department, ready-made clothing, dry goods, provisions and groceries, drugs and medicines, fuel, library and all other property under such other heads as the board may deem proper. A like inventory shall be submitted by the proper officer of each institution to the board when the annual report of said officer is submitted to the board.

Inventory of
stock and
supplies.

SEC. 40. Gifts or Gratuities—Penalties.—No member of the board of control, or other officer, agent or employe thereof, and no superintendent, officer, manager or

Gifts or
gratuities;
penalties.

employe of any of the institutions under the charge and control of said board, shall directly or indirectly for himself or any other person or for any institution under the charge of said board, receive or accept any gift or gratuity from any person or persons, firm or corporation who are dealers in goods, merchandise or supplies which may be used in any of said institutions, or from any employe, servant or agent of such person or persons, firm or corporation.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction be punished as provided in section thirteen (13) of the Penal Code, and such violation shall be cause for his removal from office.

SEC. 41. Contingent Fund.—The board of control may permit a contingent fund to remain in the hands of the accounting officer thereof, from which expenditures may be made in case of actual emergency requiring immediate payment to prevent loss or danger to the institution or its inmates, and for the purpose of paying freight, purchasing produce, live stock and such other commodities requiring a cash settlement, and for the further purpose of discounting merchandise bills for cash when a saving to the state can be made, such bills in all cases to be subject to the provisions of section 25 of this act. A full, minute and itemized statement of every expenditure made during the month from such fund shall be submitted by the proper officer of said institution to the board, under such rules and regulations as may be by said board established. If necessary, the board shall make proper requisition upon the state auditor for a warrant on the state treasurer to secure the said contingent fund for each institution.

SEC. 42. Blanks and Forms.—The board of control shall formulate and furnish to each institution proper blanks and forms for all statements and accounts necessary to furnish the information required of such institution.

SEC. 43. Appropriation.—There is hereby annually appropriated from any funds in the state treasury not otherwise appropriated sufficient thereof to pay salaries and expenses of the board authorized by this act.

SEC. 44. Repealed.—All acts and parts of acts creating the boards of managers, boards of trustees or boards of control of the following named institutions: Minnesota State Prison, Minnesota State Training School for Boys and Girls, Minnesota State Reformatory, the several state hospitals and asylums for the insane, and also

Contingent
fund.

Blanks and
forms.

Appropriation.

Repealed.

the State Board of Corrections and Charities, and all acts amendatory thereof, so far as they create any or either of said boards, and all acts and parts of acts inconsistent herewith, are hereby repealed as of the date when by the provisions of this act said boards are to cease to exist.

SEC. 45. This act shall take effect and be in force from and after its passage.

Approved April 2, 1901.

CHAPTER 123.

H. F. No. 4

An act to amend sections one (1), three (3), and eleven (11) of chapter twenty (20) of the General Laws of this state for the year 1893, relating to the inspection and use and sale of illuminating oils, and defining the duties of inspectors and prescribing penalties and inspection fees, and the manner of appointment of inspectors fixing salaries and making an appropriation.

Amendment
Inspection
Illuminating
oils.

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

SECTION 1. That section one (1) of chapter twenty (20) of the General Laws of this state for the year 1893 be, and the same is hereby amended so as to read as follows:

Section 1. There shall be appointed by the governor, by and with the consent of the senate, a suitable person, resident of this state, who is not interested in the manufacturing, dealing or vending illuminating oils manufactured from petroleum, state inspector of illuminating oils, whose term of office shall be two years, or until his successor shall have been appointed and shall have qualified.

Governor to
appoint state
inspector.

Said inspector shall receive an annual salary of two thousand four hundred dollars per annum, payable monthly, in manner as now provided by law in respect to other salaried state officers, which salary shall be in full for his services. He shall make and file with the state auditor monthly statements, verified under oath, of all fees collected by himself or deputies under the provision of this act, and pay the amount so collected to the state treasurer on or before the tenth day of each month, taking the state treasurer's receipt therefor, and filing the same with the state auditor on the day of its receipt, the moneys so received shall be kept as a separate fund to be known and designated as the "Illuminating oil inspection fund."

Annual
salary
\$2,400.

To file
monthly
statements.