

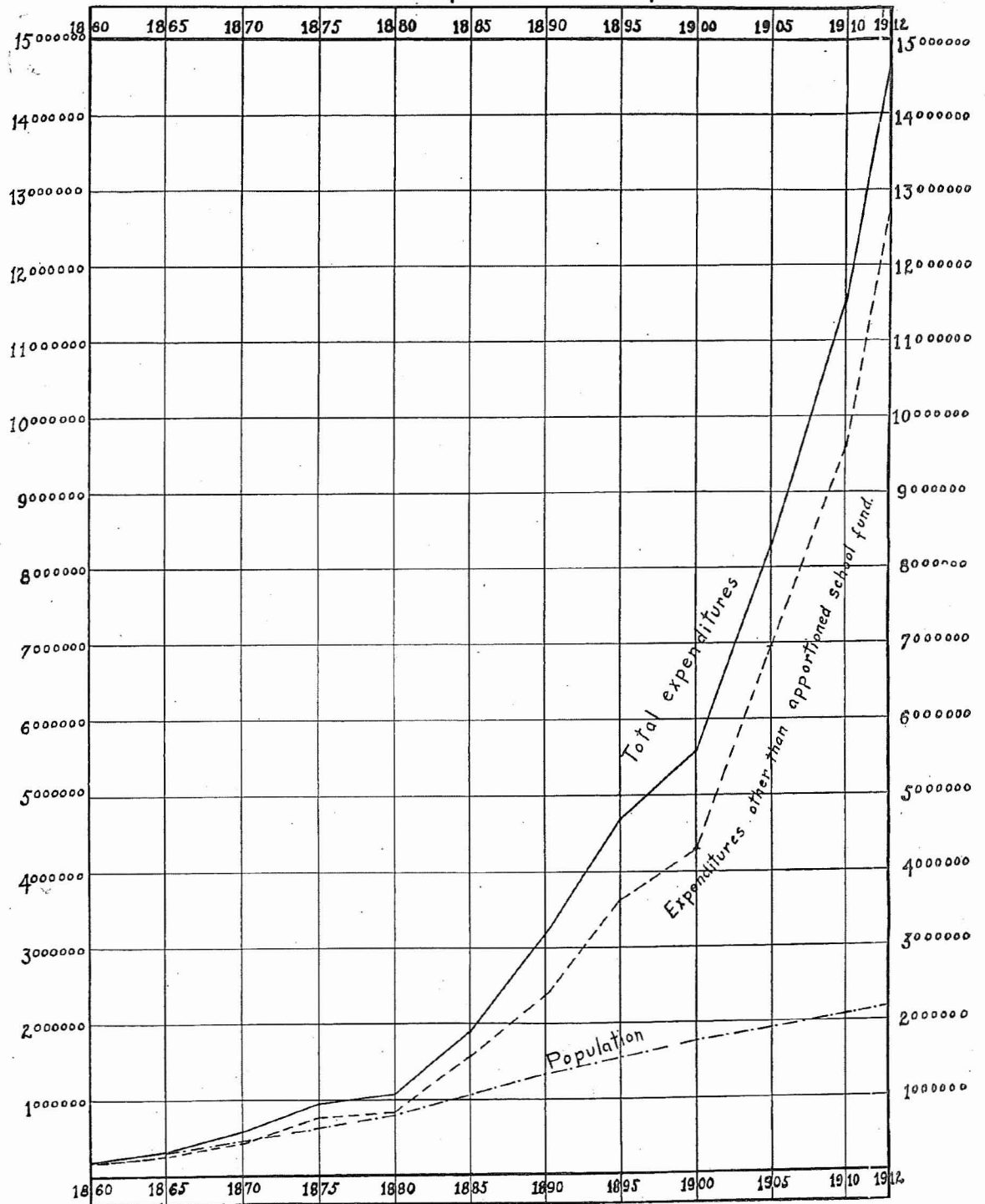
Final Report OF THE Efficiency and Economy Commission

A Proposed Bill for Reorganizing the Civil Administration of the State of Minnesota

The Merit System in Civil Service
The Budget System in Appropriations
with Prefatory Statement
Annotations and
Explanatory
Notes

OFFICE OF THE COMMISSION
Room 239 State Capitol
ST. PAUL, MINN.

Increase in State Expenditures of Minnesota.



MINNESOTA EFFICIENCY AND ECONOMY COMMISSION.

Appointed by Governor Eberhart, October, 1913.

CHARLES P. CRAIG, Chairman, Duluth.

O. B. Nelson, Spring Grove.	John H. Gray, University of Minn.
W. B. Parsons, Winona.	A. F. Woods, State Agricultural College.
H. H. Dunn, Albert Lea.	John A. Hartigan, St. Paul.
John H. Hohmann, Mankato.	D. A. Wallace, St. Paul.
F. E. Putnam, Blue Earth.	J. A. Stoneburg, Cambridge.
W. W. Smith, Sleepy Eye.	J. D. Sullivan, St. Cloud.
John Moonan, Waseca.	L. C. Spooner, Morris.
Elias Jacobson, Montevideo.	Alfred Rustad, Wheaton.
George F. Authier, Minneapolis.	O. J. Hagen, Moorhead.
Hugh J. Hughes, Minneapolis.	A. G. Anderson, Fergus Falls.
E. G. Hall, Minneapolis.	C. A. Congdon, Duluth.
Thomas Kneeland, Minneapolis.	T. T. Hudson, Duluth.
Theo. Wold, Minneapolis.	Frank Lycan, Bemidji.
J. F. McGee, Minneapolis.	F. J. Lang, International Falls.
Jos. Chapman, Jr., Minneapolis.	

Statistician, E. Dana Durand.

Secretary, John S. Pardee.

COMMITTEES.

Executive and Co-ordination Committee.

Craig, Congdon, Gray, McGee, Moonan.

Group A—General Administration and Finance.

Chapman, Jacobson, Lang, Parsons, Smith.

Group B—Public Domain, Lands and Works.

Hughes, Kneeland, Hohmann, Dunn, Lycan.

Group C—Education and Public Welfare.

Hartigan, Putnam, Woods, Anderson, Spooner.

Group D—Commerce, Industry, Transportation.

Hudson, Hall, Stoneburg, Authier, Sullivan.

Group E—Safety, Protection, Agriculture.

Wallace, Hagen, Nelson, Rustad, Wold.

"Public Welfare" subsequently referred to Groups "C" and "E" as joint committee.

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LETTER OF TRANSMITTAL.

To His Excellency,
Hon. A. O. Eberhart,
Governor of Minnesota.

Sir: Your commission named to present a plan for the organization of the state government in the interest of economy and efficiency has the honor to submit herewith its final report.

It is a pleasure to acknowledge the courtesy you have invariably accorded and the willing co-operation of every member of the state administration in every branch of the service. The offices in the capitol which the commission has occupied by the kindness of the Lieutenant Governor have been the greatest accommodation.

Your commission takes further pleasure in acknowledging the co-operation given by the Education Commission, by many civic bodies and especially the State Bar association and its committee, by the Board of Regents and by Dr. E. Dana Durand of the University staff, and by many public men and by the state press in general.

Respectfully submitted,
For the Commission,
CHAS. P. CRAIG, Chairman.

November, 1914.

FINAL REPORT OF THE COMMISSION.

This report undertakes to present, in the form of a Civil Administration Code suitable for enactment, a plan, complete in itself, embodying these essentials:

- The organization of the civil administration.
- The merit system in the civil service.
- The budget system in appropriations.

The provisions of the code herewith submitted conform in almost all particulars to the plan proposed in the preliminary report of this commission, issued in June, 1914. A few changes from that plan have been found desirable, the most important being the omission of the proposed Department of Finance.

Owing to these changes, the diagram comparing the present organization with the plan proposed by the commission, which was included in the preliminary report, has been redrafted and appears herein.

The reasons which support the recommendations of the commission have been fully set forth in the preliminary report and need not be repeated. It is respectfully submitted, however, that every provision has had the close scrutiny of a committee of the commission, and, upon its recommendation, has been considered by the entire body; that the legal formulas have been reviewed in consultation with a conference committee appointed by the State Bar association, and that both form and contents have been finally adopted without dissent by the commission.

Substantive Law Not Changed.

Your commission believes that if this bill is adopted, it will be found that every activity heretofore authorized by the legislature will continue undiminished, that every power granted by the legislature will be exercised without abridgement and that every safeguard and restriction thrown around the conduct of the state's business will be maintained in the identical form established by the legislature or its full equivalent. This belief is further supported by the opinion of Francis B. Tiffany, Esquire, which is attached to the report.

No powers, not now found in the law, will be created by this bill. But whatever new powers the legislature in its discretion may hereafter create, whatever additional activities the legislature may in the future think proper to call forth, an appropriate place may be found for them in conformity with the plan here outlined and by slight and convenient modification of the apparatus of government.

Constitutional Questions Avoided.

The Civil Administration Code herewith submitted can be enacted by the legislature without constitutional changes. The legislature can by statute accomplish nearly all the changes in the organization of the government, which this commission believes to be desirable, and the commission recommends that it make such changes as it can without delaying for constitutional amendments.

There is some question whether, under the constitution, the auditor can be deprived of all functions in reference to public lands and be confined to his proper functions as auditor. The bill proposed by the commission transfers to other officers all powers relating to public land which can, with undoubted conformity to the constitution, be transferred, and it recommends

that, if necessary to permit the transfer of all other such powers, the constitution be amended.

Many citizens favor changes by which the secretary of state, the treasurer, the attorney general and the railroad and warehouse commission would be appointive instead of elective. Such a change in the case of the secretary of state, the treasurer and the attorney general would require amendment of the constitution. If these officers are to be made appointive, it should be in response to public opinion. Your commission, not having sufficient information as to the public mind to warrant it, has refrained from offering any recommendations as to these changes.

Full effect cannot be given to the proposed plan of making the governor primarily responsible for the administration, if the estimates on which the legislature acts in making the appropriations are prepared solely by the outgoing governor. In that case the incoming governor, unless he has been re-elected, would, during his entire term, be limited by the financial provisions requested by his predecessor. At no time would he have complete responsibility for preparing a program and carrying it out as approved or modified by the legislature.

It has been suggested that a change in the constitution would be beneficial by which the incoming governor could take office on or about December 1st, a month before the session of the legislature. Unless such a change is made, it is recommended that the legislature postpone the discussion of the budget until February 1st, when, as provided in the proposed bill, the governor will submit the estimates. This will give the incoming governor sufficient time in which to revise the estimates made by his predecessor.

Further Action Suggested.

It is obvious that if this plan is adopted, it will be necessary, either to frame the appropriation bills in accordance with its provisions, or to adapt the authorization of expenditures to the new distribution of powers and duties, so that each appropriation shall apply to the purpose intended.

If this plan of civil administration is put into operation, your commission ventures to suggest that the legislature itself may find its deliberations will thereafter be facilitated by forming its committees on corresponding lines, assigning a committee to the consideration of the needs of each executive department and providing for the representation of these departmental committees in its committees on appropriations and finance.

After the general reorganization of the administration, it would be highly profitable to engage temporarily persons skilled in such matters for a study of practical economies in office routine and internal organization, such as is customary in business concerns. The commission recommends that this be done. The same investigations that show the simplest methods of handling business and keeping accounts will in many places furnish the data for measuring services and thus give a basis for fixing salaries more sensibly than is otherwise possible.

As to the salaries for higher positions, the legislature will presumably choose to establish pretty definite figures. The salary of director, for example, on which the whole scale in some degree depends, is so much a matter of legislative discretion that any suggestion from an unofficial body might be impertinent. It will naturally be observed that these are positions of relatively heavy responsibility—greater responsibility, in fact, than almost any post in the administration, as heretofore organized.

Without further discussion, your commission submits the measure which follows, to be disposed of according to its merits. For a quicker understanding of its provisions, explanatory notes have been appended and the members of your commission will endeavor to hold themselves in readiness to furnish any additional statements that will make it clear, what is intended to be accomplished and what alignment will result from each provision.

Structure of This Bill.

All that constitutes the civil administration is told in Title I—first by definition; then by enumeration of the departments, as principal members; then by enumeration of the officers and bureaus in each and the associated boards, as minor branches. The internal organization of the bureaus is not touched. Every officer provided for in the act is listed in this enumeration. Each office is, unless established by the constitution, created in this Title.

The method of employment of every officer is told in Title II. The elective officers and those appointed by the governor are listed. The provisions for the appointment of all others and the conditions of their employment under the merit system are set forth.

All powers and duties are told in Title III—first those which apply to the civil administration as a whole or to all branches of it; then those which are continued in or devolved upon each member of it.

One budget for the entire civil administration, in which estimates for other branches of the government are to be included, is provided for in Title IV.

A complete salary schedule for the civil administration is provided for in Title V. The amounts for superior officers are to be fixed definitely by the legislature, for subordinates by a general plan.

All provisions of law consistent with this act are retained, all provisions inconsistent are repealed, and continuity of administration is preserved by the provisions of Title VI.

TITLE

A Bill for an Act to Establish a Civil Administration Code.

PREAMBLE.

Whereas, in the course of time, great diversity has come about in the activities of the state and in the agencies for performing them, executive duties having been scattered among many boards and officers so that authority is dispersed;

Whereas, various incompatible powers and duties have been laid upon officers established for other purposes until they have been diverted from their primary tasks;

Whereas, it appears that the rapid increase in state expenditures has been in considerable measure due to these conditions;

And whereas, it is believed that there should be one civil administration in all parts duly co-ordinated and subordinated to the chief executive, that the appropriations required for the civil government can best be considered by the legislature after the needs have been studied and formulated with care and diligence by the administration, and that the public funds will be spent more profitably if regard is had solely to merit in appointments:

Therefore, to the end that unity may be established in the administration, that efficiency may be promoted in the service and that economy may be secured in appropriations;

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

TITLE I.
ORGANIZATION

ARTICLE I.

GENERAL PROVISIONS.

Section 1. **Definition—Civil Administration, Department, Bureau.**—The term "Civil Administration" shall mean the executive civil government of the state. All persons employed by the state shall be considered as in the civil administration except the following:

Members of the Senate and House of Representatives, and officers and employes thereof;

Members of the Governor's military staff and officers and enlisted men and employes of the Minnesota National Guard and the Minnesota Naval Militia;

Judges, officers and employes of the judicial department, the Board of Pardons, the State Librarian, notaries public and commissioners to take acknowledgments.

The word "department" as used in this act shall, unless otherwise clearly intended, mean so much of the civil administration as is directly under either of the following: Secretary of state, attorney general, auditor, treasurer, board of taxation, board of civil service, department of public domain, department of public welfare, department of education, department of labor and commerce, department of agriculture, and, so far as applicable, the governor.

The word "bureau" as used in this act shall, unless otherwise clearly intended, mean the bureaus, institutions and divisions enumerated in this act.

Section 2. **Officers and Departments.**—The civil administration is hereby vested in the several officers and departments following, which are hereby established:

The Governor and Lieutenant Governor,
The Secretary of State,
The Attorney General,
The Auditor,
The Board of Taxation,
The Board of Civil Service,
The Treasurer,
The Board of Investment,
The Department of Public Domain,
The Department of Public Welfare,
The Department of Education,
The Department of Labor and Commerce, and
The Department of Agriculture.

ARTICLE II.

GENERAL AND FINANCIAL OFFICERS AND BOARDS.

Section 1. **Public Examiner.**—There shall be a public examiner under the auditor.

Section 2. **The Board of Civil Service.**—The board of civil service shall consist of three members, not more than two of whom shall be of the same political party.

Section 3. **Commissioner of Civil Service.**—There shall be a commissioner of civil service under the board of civil service.

Section 4. **Board of Investment.**—The board of investment shall consist of the governor, auditor and treasurer.

Section 5. **Board of Taxation.**—The board of taxation shall consist of three members.

ARTICLE III.

DEPARTMENT OF PUBLIC DOMAIN.

Section 1. **The Director.**—The department of public domain shall be under a director of public domain.

Section 2. **The Bureaus.**—There shall be under the director the following bureaus:

Bureau of Lands and Mines under a Commissioner of Public Lands,
Bureau of Forestry under a Commissioner of Forestry,
Bureau of Game and Fish under a Commissioner of Game and Fish,
Bureau of Highways under a Commissioner of Highways,
Bureau of Drainage and Waters under a Commissioner of Drainage,
Bureau of Buildings and Purchases under a Commissioner of Buildings and Purchases.

Section 3. **The Board.**—There shall be associated with the department a Board of Public Domain of five members.

ARTICLE IV.

DEPARTMENT OF PUBLIC WELFARE.

Section 1. **The Director and Staff.**—The department of public welfare shall be under a director of public welfare. There shall be two assistant directors and a comptroller.

Section 2. **Bureaus and Institutions.**—There shall be under the director the following bureaus and institutions, each of which institutions shall have a chief executive officer with such title as may be prescribed by law or by the director:

Bureau of Health under a Commissioner of Health,
The State Prison,
The Reformatory,
The Training School for Boys,
The Minnesota Home School for Girls,
The Hospitals and Asylums for the Insane,
The School for the Feeble-Minded and Colony for Epileptics,
The State Hospital for Indigent Crippled and Deformed Children,
The Hospital Farm for Inebriates,
The Sanatorium for Consumptives,
The State Public School.

Section 3. **The Boards.**—There shall be associated with the Department of Public Welfare a Board of Public Welfare of nine members; and three of said members shall be designated by the governor as a committee on public health.

There shall be a Board of Sanatoriums of three members and an inspector of sanatoriums under it.

There shall be a Board of Parole consisting of the chief officer of the state prison, the chief officer of the reformatory, one of the assistant directors of Public Welfare and another citizen.

Section 4. **Soldiers' Home.**—There shall be a Soldiers' Home under a board of seven members.

ARTICLE V.

DEPARTMENT OF EDUCATION.

Section 1. **Governing Boards.**—The department of education shall be under the following:

A Board of Education of nine members, and

A Board of Regents of the University of nine members.

The Board of Education and the Board of Regents acting jointly shall be known as the Council of Education.

Section 2. **The Superintendent of Education.**—There shall be a superintendent of education under the Board of Education.

Section 3. **The School System.**—The Board of Education shall supervise the entire educational system of Minnesota other than the State University, and shall control the following institutions, each of which shall have a chief executive officer with such title as may be prescribed by law or by the board of education:

The State Normal Schools,

The School for the Deaf,

The School for the Blind.

Section 4. **The University.**—There shall be a president of the university under the Board of Regents of the University, which board shall also have under it a comptroller.

Section 5. **Affiliated Societies.**—There shall be affiliated with the Department of Education a State Historical Society constituted and governed as now provided by law.

There shall be affiliated with the Department of Education a State Art Society, constituted and governed as now provided by law.

ARTICLE VI.

DEPARTMENT OF LABOR AND COMMERCE.

Section 1. **The Director.**—The department of labor and commerce shall be under a director of labor and commerce.

Section 2. **The Bureaus.**—There shall be under the director the following bureaus:

Bureau of Labor under a Commissioner of Labor,

Bureau of Banks under a Commissioner of Banks,

Bureau of Insurance under a Commissioner of Insurance under whom there shall be a Fire Marshal.

Bureau of Standards under a Commissioner of Standards,

Bureau of Grain Inspection under a Chief Grain Inspector.

Section 3. **Board of Railroads and Warehouses.**—There shall be associated with the Department of Labor and Commerce a Board of Railroads and Warehouses of three members, which shall be ex-officio the Board of Commerce.

There shall be, under the Board of Railroads and Warehouses, a Board of Grain Appeals at Minneapolis, and a Board of Grain Appeals at Duluth, of three members each.

Section 4. **Board of Labor.**—There shall be a Board of Labor of five members associated with the Bureau of Labor.

ARTICLE VII.

DEPARTMENT OF AGRICULTURE.

Section 1. **The Director.**—The department of agriculture shall be under a director of agriculture.

Section 2. **The Bureaus.**—There shall be under the director the following bureaus:

Bureau of Dairies under a Commissioner of Dairies,
Bureau of Animal Industry under a Commissioner of Animal Industry,
Division of Plant Industry under a Chief Inspector of Plants,
Bureau of Exhibits under a Commissioner of Exhibits,
Bureau of Immigration under a Commissioner of Immigration.

Section 3. **The Board.**—There shall be associated with the Department of Agriculture a Board of Agriculture of five members.

TITLE II.

SELECTION OF OFFICERS AND EMPLOYES

ARTICLE I.

ELECTIVE OFFICERS.

Section 1. **Names.**—The following officers in the civil administration shall be elected by the people:

The Governor,
The Lieutenant Governor,
The Secretary of State,
The Attorney General,
The Auditor,
The Treasurer, and
The Members of the Board of Railroads and Warehouses.

Section 2. **Term of Office.**—Terms of office of the governor, lieutenant governor, secretary of state, attorney general and treasurer shall be two years, that of the auditor four years, and that of the members of the Board of railroads and warehouses six years, one of such members to be elected biennially.

The term of office shall commence on the first Monday in January of the year following the election of such officers.

ARTICLE II.

OFFICERS APPOINTED BY THE GOVERNOR.

Section 1. **Names.**—The following officers shall be appointed by the governor, by and with the advice and consent of the senate:

Director of Public Domain,
Director of Public Welfare,
Director of Labor and Commerce,
Director of Agriculture,
Board of Civil Service,
Board of Taxation,
Board of Public Domain,
Board of Public Welfare,
Board of Sanatoriums,
One member of the Board of Parole,
Board of Trustees of the Soldiers' Home,
Board of Education,
Board of Regents of the University,
Board of Labor,
Board of Agriculture.

Section 2. **Term of Office.**—The term of office of each officer appointed under this article, except members of boards, shall be for two years, and he shall act as such thereafter until his successor in office shall qualify.

The term of every member of a board appointed under this article shall be for six years, and he shall act as such thereafter until his successor in office shall qualify: provided that at the first appointment the governor shall divide each board into three classes as near as may be equal in number—members of one class to be appointed for two years, of one class for four years, and of one class for six years.

The term of office shall commence on the first Monday in January in an odd numbered year.

Section 3. **Removals.**—The governor may remove at his discretion the director of public domain, of public welfare, of labor and commerce, and of agriculture.

The governor may for neglect of duty or malfeasance in office remove any member of a board named in Section 1 of this article:

Provided that he shall first give notice to such member of the charges against him, shall allow at least ten days to elapse after such notice before making a final decision and shall give him opportunity to be heard; and when removal is made the governor shall furnish the member so removed with a statement of the reason therefor, shall file a copy of such statement with the secretary of state, and shall transmit a copy thereof to the senate.

ARTICLE III.

OTHER OFFICERS AND EMPLOYES.

Section 1. **Application of This Article.**—Appointments, removals, and changes in status of all officers and employes in the civil administration other than those enumerated in Articles I. and II. of this title shall be made in accordance with the provisions of this article.

Section 2. **Appointing Officers—Employes, Definitions.**—The governor, the secretary of state, the auditor, the attorney general, the treasurer, the

director of public domain, the director of public welfare, the director of labor and commerce, the director of agriculture, the board of civil service, the board of taxation, the board of regents and the board of education shall be the appointing officers for all positions in their respective offices and departments: provided that the board of public domain, the board of public welfare, the board of sanatoriums, the board of trustees of the soldiers' home, the board of railroads and warehouses, the board of labor, and the board of agriculture shall respectively be the appointing officers for and shall respectively appoint their immediate subordinates. Appointing officers shall have the power to make appointments, removals, transfers, promotions and reductions, provided that any appointing officer may, with the approval of the governor, exercise such power through a subordinate having more immediate direction over the position affected.

The term "employee" in this act shall be taken to mean any person subject to appointment to office or employment by such appointing officers; the term "position" to mean any office or employment of such employee.

The term "board" in this article shall mean the board of civil service.

Section 3. Terms of Employees.—The term of all employees shall be indefinite.

Section 4. Merit System.—Appointments, removals, and changes in the status of employees shall be made solely on the basis of merit and for the good of the service, and no appointing officer shall in regard thereto give any consideration to the political or religious opinions of any person affected.

Section 5. Recommendations.—No appointing officer shall appoint or remove or change the status of any employee except on the written recommendation of the head of the bureau, division or institution under whose immediate direction such employee is to serve or is serving.

METHOD OF APPOINTMENT.

Section 6. Educational Appointments.—The board of education and the board of regents of the university respectively shall be the sole judges of the fitness and competency of the superintendent of education and of the president of the university and of all persons employed by either board for instruction and scientific investigation, and none of the remaining provisions of this article shall apply to such employees.

Section 7. Supervisors of State Fair.—Supervisors of the state fair shall be appointed as provided in Title III, Sub-title VII, Art. V, Section 3, and none of the remaining provisions of this act shall apply to their appointment except under the conditions specified in said section.

Section 8. Unskilled Labor.—Candidates for positions requiring unskilled manual labor only need not, if the board deems proper, be subject to competitive examination; if not, they shall be placed on eligible registers in the order of application in accordance with the regulations of the board.

Each appointment to any such position shall be made from the first five names on the register.

Section 9. Examinations.—Except as elsewhere provided in this article, all candidates for appointment shall be subjected by the board of civil service to an appropriate examination. All examinations shall be of a practical character suitable to the positions to be filled. Evidence satis-

factory to the board of previous education and experience may be accepted by the board wholly or partly in lieu of other tests, and in the case of positions requiring high technical qualifications such evidence shall be required and shall be given proper weight in the examination.

Section 10. Three Forms of Examination.—Examinations may be of either of the following forms:

(a) Open competitive examinations, open to all persons having the required preliminary qualifications.

(b) Limited competitive examinations, open only to such number of persons, not less than three, as may be prescribed by the board, such persons to be designated as candidates by the appointing officer.

(c) Non-competitive examinations, open only to the one person designated therefor by the appointing officer.

Section 11. Limited Competition—When.—Open competitive examinations shall be held in all cases, except that:

(1) The board may in its discretion permit limited competitive or non-competitive examinations in the case of:

(a) One private secretary or confidential clerk to each appointing officer.

(b) Positions requiring exceptionally high technical qualifications.

(c) Positions which the board finds it impossible to fill in any other way.

(2) Limited competitive examinations may, in the discretion of the board of civil service, be held among employees in the civil administration for appointment to a position in the next higher rank of the same class.

Section 12. Eligible Registers and Selections from Them.—The names of persons who successfully pass open or limited competitive examinations shall be placed upon eligible registers in the order of rating.

Whenever an appointment is to be made, the board shall certify for such appointment the names of the three persons standing first on the eligible list from among whom the appointing officer shall make the appointment.

Provided that the board may by general rules provide for holding another examination before making a certification when the number of names remaining on a register has fallen below a specified limit.

Section 13. Preliminary Qualifications.—Candidates for appointment shall make proper application to the board of civil service on blanks to be furnished by it. The board may adopt rules prescribing reasonable requirements as to the age, sex, physical qualifications, morals, habits, citizenship and place of residence of applicants. It shall not entertain an application from any person who is not a citizen of this state unless (1) the board shall deem it reasonably certain that no candidate possessing the required qualifications can be found otherwise, or (2) unless in the judgment of the board the position requires exceptionally high technical qualifications.

Section 14. Temporary Appointments.—The board may, if it deems necessary for the good of the service, permit temporary appointments without examination, or without reference to relative rating on eligible registers. Except in extreme cases such temporary appointments shall not extend beyond two months, and in no case beyond four months. The board shall report all such temporary appointments, and the reasons for permitting them, to the legislature.

PROMOTIONS, TRANSFERS AND REINSTATEMENTS.

Section 15. Establishment of Classes, Ranks and Grades.—A class is hereby defined as including positions in which the duties are approximately similar in nature. Positions in each class may be further subdivided into ranks according to the relative qualifications or the degree of responsibility required. A grade is defined as including positions within any given class and rank which have the same salary.

The several appointing officers, with the approval of the board of civil service, shall establish and may from time to time modify regulations dividing all positions under them into classes, ranks and grades and fixing the salaries thereof not inconsistent with law. Positions in different branches of the civil administration which are similar in nature and responsibility shall be similarly classified, ranked and graded. The steps between the salary grades shall be relatively small and shall not exceed \$120 per annum up to the limit of \$1,500 salary, or \$240 per annum up to the limit of \$2,400 salary.

The regulations as to classes, ranks and grades shall be transmitted to each session of the legislature, together with a statement of the number of employes in each.

Section 16. Definition of Promotion.—Promotion is hereby defined as a change in the status of any employe which (a) gives an increase in salary; (b) does not involve a transfer from a position under one appointing officer to a position under another; (c) does not involve a change in class or rank.

No person shall be appointed under guise of promotion to a position of a different class or rank from that previously occupied.

Section 17. Method of Promotion.—Promotions may be made from time to time, and so far as possible the higher grades shall be filled by promotion. The consent of the board of civil service is not required for the promotion by a single grade during a single period of twelve months, of any employe who is not below a fair standard of efficiency according to the efficiency ratings hereinafter provided for, but the board shall be notified in advance by the appointing officer of all such promotions. If any appointing officer desires to promote a given employe by more than one grade or to promote an employe who has already been promoted within a period of twelve months, he must first obtain the consent of the board of civil service, which shall examine into the merits and qualifications of the person proposed for promotion and compare his efficiency with that of other employes.

Section 18. Changes in Class or Rank.—Except as provided in Section 11 of this article any person already in the service applying for appointment to a position of a different class or rank shall submit to open competitive examination in the same way as other candidates. The board may, however, give due weight to previous experience in the service of the state, and may otherwise give reasonable preference to persons having such experience.

Section 19. Efficiency Ratings.—A report regarding the efficiency of each employe shall be made by his immediate superior at least semi-annually and filed with the appointing officer, and a copy thereof shall be filed with the board of civil service.

Section 20. Transfers.—Any employe may be transferred from one position to another of substantially similar class and rank and not commanding a higher salary, provided that the board of civil service shall be

notified of such transfer, and a transfer from one department to another shall require the approval of the board.

Section 21. Reinstatement.—The board may, by its rules, provide for the reinstatement, within a reasonable time, of an employe separated, without delinquency or misconduct, from the civil administration, but such reinstatement may not involve a change of class or rank or an advance in grade.

Section 22. Removals and Demotions.—The appointing officer may remove or demote any employe, provided that, unless the removal or demotion is occasioned by shortage of funds or reduction of force, he shall give such employe opportunity to be heard by him. Thereafter his action shall be final. He shall file with the board of civil service a statement of all removals and demotions.

The board of civil service may require, on its own motion, the demotion or removal of any person who for a period of three or more consecutive quarters is rated below a fair standard of efficiency according to the reports provided for in section 19 of this article.

PENALTIES.

Section 23. Payment of Salaries.—The auditor and treasurer shall not issue a warrant for or pay the salary of any person unless the appointing officer shall certify on each payroll that he holds his position in accordance with this act and the rules of the board.

Section 24. Liability of Appointing Officers.—Any appointing officer who makes an appointment or promotion contrary to the provisions of this act and to the rules of the board made pursuant thereto shall be personally liable to the person so appointed or promoted for his salary, which such person may recover in a civil action.

Section 25. Political Assessments.—No officer or employe in the civil administration, or any other person, shall solicit any assessment or contribution for any political party or political purpose from any officer or employe in the civil administration.

Section 26. Interference With Operation of This Act.—Any person who shall attempt to defeat, deceive or obstruct any person in respect to his right of examination or registration under this act and the rules of the board, or who shall willfully or corruptly grade or rate falsely the examination of any candidate, or who shall assist any candidate in an examination otherwise than in accordance with the rules of said board, or who shall violate the provisions of section 25 hereof, shall be guilty of a misdemeanor.

TITLE III.

POWERS AND DUTIES

SUB-TITLE I.

GENERAL PROVISIONS

ARTICLE I.

DISTRIBUTION OF POWERS.

Section 1. The Governor as Head of the Civil Administration.—The governor shall be the head of the civil administration. He shall supervise and direct the administrative work of all boards, officers, departments,

bureaus and institutions. He may require special written reports from any board, officer or employe at any time.

Section 2. Powers of Appointing Officers.—All appointing officers shall supervise and direct the work of, and exercise full authority over, all commissioners of bureaus and other officers and employes subject to appointment by them, or assigned to work under them. They may require special written reports from any subordinate at any time.

Each appointing officer shall have power to require any subordinate officer of any bureau, division or institution under him to serve under his immediate direction or under the direction of such other officer as he may designate, or to serve under an officer of another department.

Section 3. Powers and Duties of Subordinates.—All powers or duties now conferred by law upon any officer or employe not named in this act shall devolve upon the chief officer of the department or bureau under which such powers or duties are to be exercised under this act.

Any officer may exercise through a subordinate the powers conferred on him, except in cases where by law the exercise of such powers requires his written approval or his personal discretion.

Section 4. Powers of Boards.—The boards of public domain, of public welfare, of sanatoriums, of labor and of agriculture shall possess no executive powers or duties, and no other board shall have any executive powers or duties except as expressly provided by law.

Section 5. Non-Executive Powers of Boards.—Every board shall with respect to its field of work or that of the department or bureau with which it is associated have the following powers and duties:

(a) **Advisory.** To consider and study the entire field; to advise the executive officers upon their request; to recommend, on its own initiative, policies and practices, which recommendations the executive officers must duly consider; and to give advice or make recommendations to the governor and the legislature, when requested or on its own initiative.

(b) **Investigatory.** To investigate the conduct of the work of the department or bureau with which the board may be associated, and for this purpose to have access at any time to all records thereof and to require written or oral information from any officer or employe thereof.

(c) **Quasi-Judicial.** So far as elsewhere expressly authorized by law, to hear and determine any questions involving conflict of interest between the state and private parties or between the state and its political subdivisions, or between different private parties or political subdivisions, or between such subdivisions and private parties.

(d) **Sub-Legislative.** So far as elsewhere expressly authorized by law, to make rules and regulations for the conduct of private parties and of political subdivisions of the state.

(e) In the exercise of its powers and duties to summon and compel the attendance of witnesses and to examine them under oath under the pains and penalties of perjury on the part of such witnesses.

Section 6. Relation of Officers to Non-Executive Boards.—The governor and other executive officers shall not have the power to control or interfere with the exercise of the powers and duties of any board as specified in the preceding section.

Section 7. Proceedings of Boards.—All boards shall keep minutes of their meetings and transactions, which shall be public records, and all meetings of boards shall be open to the public unless in the judgment of the board the interests of the state otherwise require. The chief officer of every bureau and institution shall have the right to be heard at any time when matters affecting the conduct of the work under him are under consideration.

Notice shall be given to the governor of all board meetings, and he shall have the right to be heard at all times.

Notice shall be given the director of the department of every meeting of a board associated therewith, and he shall have the right to be heard at any time.

Section 8. Assignment of Duties.—Except as otherwise provided in this act, every power and every duty now conferred by law on the civil administration is hereby continued in force.

The governor shall have the power to assign among the chief executive departments and officers any such power or duty not assigned by this act.

Every appointing officer shall have authority to assign among his subordinates any power or duty under his direction not assigned by this act.

Section 9. Deputies.—(1). Every executive officer may in writing, with the consent of his immediate superior, authorize another officer or employe having proper qualifications to act in his stead for all purposes or for specified purposes, and for a specified term, during his absence from his post.

(2) Whenever such authorization includes power to sign vouchers notice shall be given to the accounting officers who receive such vouchers.

(3) The governor shall have power to make regulations determining what classes of officers or employes are qualified to act as deputies under this section.

Section 10. Co-Operation.—(1) All appointing officers shall so far as practicable, co-operate with one another in the employment of services and the use of quarters and equipment.

(2) Any executive officer may empower or require an employe of another department or bureau, subject to the consent of that employe's superior officer, to perform any duty which he might require of his own subordinates.

(3) It shall be the duty of every employe in the civil administration when so directed by his superior officer to report through such superior all matters that come under his notice relating to the compliance with the laws and regulations under the jurisdiction of any other branch of the service requesting such co-operation.

(4) Whenever a service is performed by employes of one department or bureau for another, accounts may be rendered and settlements made between the bureaus and departments according to agreements previously made or as required by law:

Provided that no employe shall receive extra pay by reason of such service for another department or bureau.

(5) Every purchasing agent employed by the state shall co-operate with purchasing agents in other departments or branches of the service by exchange of information and otherwise and as far as practicable shall extend the facilities of his office to other state agencies, but he shall not make purchases for any private person or corporation.

ARTICLE II.

BONDS.

Section 1. **Of Whom Required.**—All bonds now required by law of any officer or employe shall be required of the officer or employe upon whom his powers and duties are devolved under this act.

Bonds may be required of any officer or employe not required by law to give bonds, upon the order of the governor, upon conditions to be prescribed by him, to an amount fixed by the appointing officer and approved by the governor, or in the case of the bond of an appointing officer to an amount fixed by the governor with the approval of the board of investment.

Additional security, to be determined in the same manner, may be required, whether the amount of a bond is fixed by law or otherwise, whenever it appears that the original security is impaired or that the liability is increased.

Section 2. **Approval.**—All bonds shall be approved by the attorney general as to form and by the appointing officer as to the sufficiency of the surety.

Bonds to be given by directors and other appointing officers shall be approved as to the sufficiency of the surety by the board of investment: Provided that the auditor's bond shall be so approved by the governor and treasurer, and that the treasurer's bond shall be so approved by the governor and auditor.

Section 3. **Where Filed.**—All official bonds shall be filed with the secretary of state.

ARTICLE III.

REPORTS.

Section 1. **Annual Reports.**—Every officer in charge of any department, bureau, institution or branch of the civil administration, and every board, shall prepare an annual report of the finances and transactions thereof.

The secretary of state, the attorney general, the auditor, the treasurer, the board of railroads and warehouses and the board of investment shall submit their annual reports to the governor.

All appointive officers and boards shall submit their annual or other reports to the officer by whom each is appointed.

All annual reports shall be preserved permanently in the office of the officer or board to whom or to which they are made.

Where the scope and contents of the annual or biennial report of any officer or board are prescribed by law, the annual report of the officer or board on whom or on which are devolved the powers and duties relating thereto shall have the same scope and contents.

Each officer or board to whom such report must be submitted shall have power to prescribe the nature and extent of the information to be contained therein unless otherwise expressly provided by law.

Only such reports or parts thereof shall be printed as may be required by law or directed by the governor.

Section 2. **State Year Book.**—The governor shall cause to be prepared and printed annually a Year Book summarizing the annual transactions of

the state government and containing such additional statistical or descriptive material regarding the state, its population, its resources and its industries as he may direct.

It shall be the duty of all state officers and employes to aid in the preparation of this Year Book when called upon by the governor to do so.

Section 3. Reports to the Legislature.—The governor shall transmit to both houses of the legislature copies of all annual reports submitted to him. Biennial reports shall be made directly to the legislature by the secretary of state, the attorney general, the auditor, the treasurer and by every board.

Section 4. Repeal.—All provisions of law requiring annual or biennial reports of state officers or boards other than those prescribed by this article are hereby repealed.

ARTICLE IV.

OATHS.

Section 1. Of Whom Required.—All oaths now required by law of any officer or employe shall be required of the officer or employe upon whom the powers and duties of such former officer or employe are devolved under this act.

[Const., Article 5, Section 8; also 2338, 4174.]

Every officer appointed by the governor under this act shall, before entering upon the discharge of his duties, take and subscribe the oath defined in section 8 of article 5 of the constitution.

Section 2. Where Filed.—All oaths shall be filed with the secretary of state.

ARTICLE V.

SEALS.

Section 1. Any officer, bureau or branch of the service, not having such authority under existing law, may in the discretion of the governor be authorized to adopt a seal.

A description of every seal so adopted shall be filed with the secretary of state.

ARTICLE VI.

FEES, CHARGES, SALES AND FINES.

Section 1. Fees.—Wherever existing law requires fees to be paid in connection with any service performed by any branch of the civil administration, like fees are hereby imposed, to be paid in the same manner to the branch by which the service is performed.

Provided that where the amount of such fees is now fixed by law it shall, unless otherwise provided by this act, remain unchanged; and provided that all fees, except as otherwise provided, shall be fixed by the appointing officer under whom the services are performed, subject to the approval of the board associated with that department or branch of the administration, if any. In all such cases, fees shall be calculated in the aggregate to meet as nearly as possible the cost of the particular service for which they are imposed.

Section 2. Charges.—Wherever by authority of law a charge is required for services performed for any person or persons, by any branch of the civil administration, the amount of such charge shall be fixed by the appointing officer, under whom such services are performed, and shall be calculated as nearly as may be to meet the cost of such service.

Section 3. **Sale of Property.**—Wherever any commodity, property or equipment belonging to the state is authorized to be sold, the price shall, except as otherwise provided by law, be fixed by the appointing officer under whose direction such commodity, property or equipment is held.

Section 4. **Disposition of Proceeds.**—Except as otherwise provided in this act, all moneys collected for fees, charges or sales, and all fines accruing to the civil administration, shall be turned into the treasury to the credit of the revenue fund.

SUB-TITLE II. GENERAL OFFICERS

ARTICLE I.

GOVERNOR.

[Const. Art. V, also 54-58.]

Section 1. **Administration.**—The civil administration shall be under the governor.

Section 2. **Powers and Duties.**—The governor shall have care for the enforcement of all laws and the performance of all duties; he shall see to it that the interests of the commonwealth do not suffer.

Except as otherwise provided in this act all powers and duties conferred upon him by law are continued in him.

ARTICLE II. SECRETARY OF STATE.

[59-64.]

Section 1. **Powers and Duties.**—The secretary of state shall be principal custodian of records and chief election officer.

Except as otherwise provided in this act all powers and duties conferred by law on the secretary of state shall continue in him.

He shall perform such other like duties as the governor may direct.

ARTICLE III. ATTORNEY GENERAL.

[100-107.]

Section 1. **Powers and Duties.**—The attorney general shall be the chief legal officer of the state.

Except as otherwise provided in this act, all powers and duties conferred on him by law shall continue in him.

ARTICLE IV. THE AUDITOR.

[65-77. See also Taxes, etc.]

Section 1. **Powers and Duties.**—The auditor shall be the chief accounting and auditing officer of the state. He shall see to it that all laws relating to the finances of the state are enforced. He shall establish and enforce uniform accounting systems throughout the state administration. He shall verify the correctness and validity of all financial claims against the state and of all financial obligations to the state. He shall see to it that all

expenditures and obligations of the state are within the appropriations available and are charged to the proper account. He shall conduct all financial transactions of the state with its counties. He shall check all receipts and all expenditures and disbursements of the state. No expenditure or disbursement of state moneys shall be made except on the warrant of the auditor.

Except as otherwise provided in this act, all powers and duties conferred by law on the auditor are continued in him.

All powers and duties conferred by law on the public examiner shall devolve upon the auditor.

The auditor shall have such powers and duties in relation to the appraisal and sale of lands as are provided by law. [5205, 5210-5224, 5320-5338.]

Section 2. Appropriations Not to Be Exceeded.—The auditor shall keep or cause to be kept records of all payments from each appropriation or fund and of all obligations created against the same. He shall not issue any warrant against an appropriation or fund which will exceed the balance thereof, above outstanding obligations. Except in case of emergency expenditures as provided in Article VIII, Section 2 hereunder, no contract shall be valid against the state which creates an obligation in excess of appropriations available, and any such contract shall be void and not merely voidable.

Section 3. Auditing Claims on Certain Funds.—The method of issuing warrants on the basis of abstracts of claims as provided in Sec. 68, General Statutes 1913, shall be applicable only to such classes of claims and to such funds as shall be designated by the board of investment: Provided that the application of said section shall not be extended further than now provided by law.

Section 4. Public Examiner.—The public examiner shall be under the auditor and shall be a skilled accountant. [3227-3239.]

Section 5. Powers and Duties of the Public Examiner.—The public examiner shall exercise such powers and perform such duties now conferred by law on the public examiner as the auditor may assign to him.

He shall perform such other like duties as the auditor of his own motion, or on the request of the governor, may require of him.

ARTICLE V.

BOARD OF TAXATION.

[1978, 2333-2350, 2226-2270, 2271-2310, etc.]

Section 1. Organization.—The board of taxation shall be constituted as provided in Title I, Article II, Section 5.

Section 2. Powers and Duties.—The board of taxation shall have supervision over the assessment and equalization of taxes; it shall determine all tax obligations to the state and the bases therefor; it shall investigate the whole subject of taxation and make recommendations upon it.

There shall continue in the board of taxation all powers and duties of the Minnesota tax commission, which shall hereafter be called the board of taxation.

With reference to the determination of the amounts of taxes under laws providing for the payment of taxes directly to the state, including inheritance taxes, there shall devolve on the board of taxation all powers and

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duties now conferred by law on the governor, attorney general, auditor, public examiner and treasurer. All reports, statements and abstracts of accounts relating to the basis of taxation now required by law to be made to any of these officers shall be made to the board. [2214-2300.]

Provided that the duties of the attorney general with reference to bringing and maintaining actions at law and determining legal questions in tax matters shall continue in him.

Section 3. Duties of Auditor.—The auditor shall obtain and furnish to the board of taxation such information relating to taxation as the board may require of him and for that purpose shall have the powers of investigation now conferred on him and the public examiner by law.

The board of taxation shall certify to the auditor its determinations as to taxes payable and changes in assessed valuation, and the auditor shall certify to the treasurer the amounts due: Provided that nothing in this article shall abridge the power and duty of the auditor to audit all financial transactions of the state.

ARTICLE VI.

BOARD OF CIVIL SERVICE.

Section 1. Organization.—The board of civil service shall be constituted as provided in Title I, Article II, Section 2.

Section 2. Powers and Duties.—The board shall—

(1) Inquire into and consider the entire subject of the civil service of the state and the means of promoting its efficiency.

(2) See to it that all laws and regulations relating to appointments, removals and changes in the status of employes in the civil administration are obeyed and enforced, and for that purpose have power to make investigation and inquiry and to make rules and regulations not inconsistent with law.

(3) Have the powers and duties elsewhere expressly conferred upon it by this act.

Section 3. Powers of Commissioner.—The commissioner of civil service shall be the executive officer of the board.

Section 4. Assistance.—Every appointing officer shall furnish to the board of civil service such assistance as it may require for the exercise of its duties insofar as they relate to positions under him.

Section 5. Boards Abolished.—The board of examiners for dairy and food inspectors and the board of examiners for inspectors in the department of labor and the industries are hereby abolished. [3636, 3814.]

ARTICLE VII.

THE TREASURER.

[78-90. See also Taxes, etc.]

Section 1. Powers and Duties.—The treasurer shall be the chief financial officer of the state. He shall be custodian of all state funds; he shall receive all moneys due the state and shall enforce their collection; he shall make all disbursements.

Except as otherwise provided in this act, all powers and duties now conferred by law on the treasurer shall continue in him.

ARTICLE VIII.

BOARD OF INVESTMENT.

[Constitution, Art. VIII., Sec. 5; also 91-99.]

Section 1. **Organization.**—The board of investment shall be constituted as provided in Title I, Article II, Section 4.

Section 2. **Powers and Duties.**—The board of investment shall have with reference to state finances the powers and duties of investigation and advice enumerated in Title III, Sub-title I, Article I, Section 5.

The powers and duties now conferred by law on the board of investment shall be continued in it. [5245.]

All powers and duties now conferred by law on the board of deposit shall devolve on the board of investment. [91, 93.]

All powers and duties now conferred by law on the board of audit shall devolve on the board of investment, provided that the treasurer shall not take part when the board acts in the exercise of such powers and duties. [92.]

The powers and duties conferred by law on the governor, auditor and treasurer with reference to making contracts for taking up state warrants, to authorizing emergency expenditures in case of calamities or action of the elements, and to accepting gifts to state institutions shall devolve on the board of investment. [85, 87, 115.]

The board shall study the entire field of state finance and shall make recommendations to the legislature regarding fiscal policy including sources of revenue.

Section 3. **Rate of Tax Levy.**—The board shall not later than October 1 in each year fix the rate of state tax levy. Within the limits prescribed by law, such rate shall, taking into consideration the anticipated receipts of the revenue fund from other sources, be calculated to meet but not to exceed the appropriations authorized from the revenue fund on the basis of assessed valuations as equalized by the board of taxation. [2048.]

SUB-TITLE III.

DEPARTMENT OF PUBLIC DOMAIN

ARTICLE I.

THE DEPARTMENT.

Section 1. **Organization.**—The department of public domain shall be constituted as provided in Title I., Article III.

ARTICLE II.

BUREAU OF LANDS AND MINES.

[5213-5219.]

Section 1. **The Commissioner.**—The bureau of lands and mines shall be under the commissioner of public lands. (See Constitution, Art. VIII., Sec. 2; Art. IV, Sec. 32b; and Ch. 38 G. S. 1866; do 1878.)

Section 2. **Powers and Duties of the Commissioner.**—The commissioner of public lands shall have the custody and supervision of all public lands and shall administer all laws as to trespass thereon and leases thereof; he shall see to it that all rights of the state regarding such lands are secured:

Provided that the commissioner of forestry shall administer all laws and regulations as to timber and timber trespass on such lands.

The commissioner of public lands shall inform himself as to the location, character, soils, native products, adaptability and value of all such lands. [5264.]

He shall determine from time to time what lands shall be sold.

He shall have custody and supervision of all minerals reserved to or owned by the state and administer all laws and regulations and enforce all leases and contracts regarding the same. [5304-5319.]

Except as otherwise provided in this act, there shall devolve upon the commissioner of public lands all powers and duties in relation to these matters now conferred by law upon the auditor in his capacity as land commissioner and all powers and duties of the reclamation board, which board is hereby abolished. [5386-5390.]

Section 3. Definition of Public Lands.—The words "public lands" as used in this article shall be taken to mean all lands belonging to the state, or in which the state has an interest or which are held in trust by the state, except forest reserves, state parks, the sites of public buildings and institutions, escheats and tax liens. [Ch. 38, G. S. 1866, Sec. 2.]

Section 4. Listing of Lands for Sale.—The commissioner of public lands shall from time to time, subject to the approval of the director of public domain, determine what lands should in the interest of the state be sold and shall furnish a list of the same to the auditor. No public lands shall be sold until so listed.

Section 5. Subdivision Into Lots.—Whenever in the opinion of the commissioner of public lands the interest of the state will be promoted by subdividing any of the land under his control into small parcels or village lots, he shall cause the same to be done. Provided that whenever a petition for such subdivision is presented to the commissioner by at least ten legal voters of the county in which the land therein described is situated, he shall submit it to the director of public domain, whose decision as to subdividing such lands shall be final. [5213-5216.]

Section 6. Appraisal and Sale.—Subject to the provisions of this act, public lands shall be appraised and sold as provided by law.

Any duly qualified employe of the bureau of lands and mines or of the bureau of forestry may be appointed as an appraiser, but shall not receive extra compensation for service as such.

A new appraisal may be required at any time by the commissioner of public lands.

Section 7. Leases for Grazing and Pasturing.—Leases for grazing and pasturing may be made in the manner and under the conditions now prescribed by law. [5255.]

Section 8. Timber on Lands Offered for Sale.—Whenever small quantities of timber are found on lands which are valuable mainly for agricultural purposes, the value of the timber shall be appraised separately from the value of the land. The commissioner of public lands shall indicate in listing the land whether in his judgment the timber should be sold separately or with the land: provided that the commissioner of forestry may submit his recommendation to the director, whose decision shall be final. If the timber is sold separately, the sale shall be conducted by the commissioner

of forestry. If the timber is sold with the land, it shall be sold in the manner and under the conditions provided by law. [5219.]

Section 9. **Surveys—Maps—Plats.**—It shall be the duty of the commissioner of public lands to cause all surveys of public lands to be made and cause all maps and plats to be made and recorded as required by law; and such power and duty as is now conferred on the auditor in respect thereto shall devolve on the commissioner. [5217, 5225.]

Section 10. **Co-Operation.**—It shall be the duty of the commissioner of public lands, the commissioner of forestry and the commissioner of immigration to co-operate in regard to the improvement, disposition and settlement of public lands.

ARTICLE III.

BUREAU OF FORESTRY.

[3783-3809.]

Section 1. **The Commissioner.**—The Bureau of Forestry shall be under the Commissioner of Forestry, who shall be a trained forester.

Section 2. **Powers and Duties of the Commissioner.**—The commissioner of forestry shall administer all laws and regulations relating to forestry and forest protection; he shall have charge of all state forests and state parks; he shall have the care and control of public lands chiefly valuable for the timber thereon and shall have the custody and disposition of all such timber. [5377-5385.]

Except as otherwise provided in this act, there shall devolve upon him all powers and duties relating to these matters now conferred by law on any officer or board, including the following:

- (a) All powers and duties of the state forester.
- (b) All powers and duties of the state forestry board.
- (c) All powers and duties of the governor or of the auditor as custodian of state parks or with reference thereto. [5339-5376.]
- (d) All powers and duties of the auditor, including those conferred on him in the capacity of land commissioner. [5264-5303.]
- (e) All powers and duties of the surveyors general of logs and lumber with reference to the scaling of timber cut from state lands. [5282-5291.]
- (f) The powers and duties of the attorney general with reference to Itasca State Park as provided in Section 5340, General Statutes 1913.

Section 3. **Powers of the Director of Public Domain.**—(1) The director of public domain shall have the authority vested in the state forestry board, its president and secretary, by Section 3799, General Statutes 1913.

(2) Every contract made by the commissioner of forestry for the acquisition or alienation of lands by the state in any state park or forest reserve shall have the written approval of the director, and without such approval shall be void and not merely voidable. [5352, 5379.]

(3) All powers and duties of the board of state timber commissioners except as provided in Section 5271 G. S. 1913 shall devolve upon the director.

Provided, however, that—

- (a) He shall before settling a civil claim for trespass secure the written assent of the attorney general, [5296], and

(b) He shall furnish the auditor, so soon as he approves it, a copy of every list describing timber which is to be offered for sale.

Section 4. Special Powers of the Auditor.—(1) The powers and duties of the board of state timber commissioners provided for in Section 5271 General Statutes 1913 shall devolve upon the auditor. Any agents employed by him under this section shall report to the auditor. He shall transmit to the director of public domain any information acquired by him concerning any trespass on state lands.

(2) The power of the auditor with reference to rescaling of timber, as provided in Section 5284 General Statutes 1913, shall continue in the auditor without, however, taking from the commissioner of forestry the power to require a rescaling by his employees whenever he deems necessary. The following provisions of said Section 5284 are hereby repealed:

"If it shall appear by said rescale that the first scale was practically correct, the state shall pay the said surveyor general the sum of \$5.00 for each day necessarily spent by his deputy in making such rescale, in addition to all necessary expenses incurred by him in traveling to and from such land; but in case of a material difference in the two scales the surveyor general shall not be entitled to compensation for such rescale."

(3) Nothing in this act shall be construed as taking from the auditor any powers or duties given him by the constitution.

Section 5. Powers of the Board of Regents.—Nothing in this article shall operate to take from the board of regents of the university any powers or duties conferred on it by law. [3040, 5346.]

Section 6. Timber Estimators and Scalers.—Any forest ranger or other employe of the bureau of forestry who shall possess the qualifications and give the bond required for timber estimators by existing law may be designated by the commissioner of forestry as a timber estimator. Any such employe who shall possess the qualifications and give the bond required for deputy surveyors general of logs may be designated by the commissioner to scale timber cut from state lands. Where the term "state land examiner" is used in Sections 5266 and 5273 General Statutes 1913 it shall be taken to mean a timber estimator qualified as provided in Section 5266.

Section 7. Notice by Purchasers of State Timber.—Every purchaser of state timber shall at least fifteen days before any cutting is done notify the commissioner of forestry and the auditor at what time such cutting will begin, and at least fifteen days before any timber is removed from the land at what date such removal will begin. [5300.]

Section 8. Procedure in Timber Settlements.—Section 5294 General Statutes 1913 is hereby amended to read as follows: Upon receipt of the report of the scaler of the amount of timber cut under any permit, the commissioner of forestry shall prepare a statement of the amount due therefor by the terms of the permit including fees for scaling, and shall place in the hands of the auditor and the treasurer copies thereof. Payment of such amount shall be made by the purchaser or assignee, as the case may be, to the treasurer, who shall give a receipt therefor and shall file copies thereof with the auditor and the commissioner of forestry. Whereupon the commissioner of forestry shall execute in triplicate a bill of sale of such timber and a transfer of the mark thereon to the purchaser or assignee. The bill of sale and transfer shall describe the timber, its quantity and character, and the

land from which it was cut, and one of the originals thereof shall be preserved in the office of the commissioner of forestry and one in the office of the auditor.

Section 9. Powers of the Board of Public Domain.—The power to make rules and regulations heretofore vested in the state forestry board, so far as such rules and regulations affect the rights and duties of private parties, shall devolve upon the board of public domain; provided that such powers so far as they have been heretofore by law vested in the state forester are hereby vested in the commissioner of forestry. [3786.]

Section 10. Certain Offices Abolished.—The office of the state forester is hereby abolished.

The state forestry board and the office of secretary thereof hereby are abolished.

The state board of timber commissioners is hereby abolished.

ARTICLE IV.

GAME AND FISH.

[4756-4910.]

Section 1. The Commissioner.—The Bureau of Game and Fish shall be under the Commissioner of Game and Fish.

Section 2. Powers and duties of the Commissioner.—The commissioner of game and fish shall administer all laws relating to the protection and propagation of game animals, game birds and fish, and harmless birds and animals. [4758.]

Except as otherwise provided in this article, there shall devolve on him all powers and duties relating to these matters now conferred by law on any officer or board, including the following:

The state game and fish commission,
The executive agent thereof,
The secretary thereof.

Section 3. Powers and Duties of the Director.—All licenses issued for taking fish by means of gill nets, seines or pound nets as provided by law shall before becoming effective have the approval in writing of the director of public domain. [4812, 4818, 4820, 4821, 4824.]

Section 4. Duties of the Board of Public Domain.—The powers and duties conferred by law on the game and fish commission with reference to the establishment of game preserves and with reference to the prohibition of the selling or offering for sale of fish taken from lakes which have been stocked shall devolve on the board of public domain. [4877, 5384.]

Section 5. Offices Abolished.—The state game and fish commission and the offices of the executive agent and of the secretary thereof are hereby abolished.

ARTICLE V.

BUREAU OF HIGHWAYS.

[2448-2609.]

Section 1. The Commissioner.—The Bureau of Highways shall be under the Commissioner of Highways, who shall be a civil engineer. [2497.]

Section 2. **Powers and Duties of the Commissioner.**—The commissioner of highways shall administer all laws and regulations relating to state roads and relating to state supervision over highways or state aid for highways.

Except as otherwise provided in this act, there shall devolve on him all powers and duties relating to these matters now conferred by law on any state officer or board including the following:

The state highway commission,

The state engineer or secretary of said commission, and his deputies.

Section 3. **Powers and Duties of Director.**—The location and plan for bridges over the Minnesota river shall require the approval of the director of public domain instead of the governor. [2570.]

Section 4. **Rules and Regulations.**—The power to make rules and regulations now conferred by law on the state highway commission shall devolve on the board of public domain. [2497, 2504.]

Section 5. **State Highway System.**—It shall be the duty of the commissioner to prepare a plan for a general system of state roads, which may be altered or extended from time to time. Such plan shall require the written approval of the director who shall obtain the advice of the board of public domain.

Section 6. **Approval of Director and Board Required.**—The action of the commissioner shall become effective only upon the written approval of the director and the board with reference to

(1) The apportionment, subject to the provisions of law, of state road and bridge funds among political subdivisions of the state, [2502.]

(2) The designation or abandonment of state roads. [2505, 2506.]

Section 7. **Appeals from County Commissioners.**—The power of the highway commission with reference to appeals from the action of boards of county commissioners, as provided in section 2505 General Statutes 1913, shall devolve on the board of public domain.

Section 8. **Offices Abolished.**—The state highway commission and the offices of the state engineer and secretary of the commission and his deputies are hereby abolished.

ARTICLE VI.

BUREAU OF DRAINAGE AND WATERS.

[5480-5633.]

Section 1. **The Commissioner.**—The Bureau of Drainage and Waters shall be under a Commissioner of Drainage, who shall be a civil engineer. [5482.]

Section 2. **Powers and Duties of the Commissioner.**—The Commissioner of Drainage shall administer all laws relating to state drainage, to state supervision of drainage or to state aid for drainage, and all laws relating to waters and water powers. [5481, 5501, 5505-5507, 5513, 5515, 5522.]

He shall enforce all state contracts relating to these matters.

Except as otherwise provided in this article, there shall devolve on him all powers and duties in relation to these matters now conferred by law on any state officer or board, including the following:

The state drainage commission and its secretary,

The state drainage engineer.

Section 3. Approval of Director.—The commissioner before entering upon any project or undertaking, or any contract which may involve the expenditure of state funds, shall obtain the written approval of the director of public domain, and no such contract shall be valid without such approval.

Any plans prepared by the commissioner for a general or uniform system of drainage shall have the written approval of the director, who shall first obtain the advice of the board of public domain. [5517, 5518.]

Section 4. Rules and Regulations.—The power now conferred by law on the state drainage commission to prescribe rules and regulations for the construction of ditches in political subdivisions of the state shall devolve upon the board of public domain. [5521.]

Section 5. Notice of Judicial Findings.—Where state lands are affected by any drainage proceeding, it shall be the duty of the clerk of court to file certified copies of the order and findings of the court with the state auditor and the commissioner of drainage. [5492.]

Section 6. Records.—The records of the proceedings of the bureau of drainage and waters, and of surveys and work constructed under the state drainage laws, shall be kept in the office of the commissioner instead of that of the auditor. [5511.]

Section 7. Offices Abolished.—The state drainage commission and the office of state drainage engineer are hereby abolished.

ARTICLE VII.

BUREAU OF BUILDINGS AND PURCHASES.

Section 1. The Commissioner.—The bureau of buildings and purchases shall be under a commissioner of buildings and purchases.

Section 2. Powers and Duties of Commissioner.—The commissioner shall, except as otherwise provided by this act, supervise the construction of all buildings and the improvement of all buildings and grounds for the state; he shall supervise printing for the state and make purchases as provided in Section 4 of this article; he shall have the care and maintenance of the new and the old state capitol and of such other public buildings as the governor may direct: [55-56.]

Provided that the provisions of this article shall not apply to any construction, alteration, improvement or repair of buildings and grounds, used or to be used by the department of education, the department of public welfare or the state fair, the cost of which does not exceed \$5,000.

Except as otherwise provided by this act there shall devolve on him all powers and duties now conferred by law on the board of control and on any other officer, relating to the construction of buildings and the improvements of buildings and grounds. [3066.]

There shall devolve on him all powers and duties of the state printing commission and the state expert printer. [4930-4944.]

Section 3. Supervision of Improvements.—The commissioner shall pass on all plans and specifications for the construction and improvement of buildings and grounds; he shall, whenever directed by the director of public domain, prepare such plans and specifications; he shall, except as otherwise provided by this act, let and enforce all contracts relating thereto. [3066, 3956, 4003, 6499.]

Section 4. Purchases and Printing.—The commissioner shall supervise the purchase of all printing for the state and shall conduct the purchase of such classes of furniture, equipment and supplies as the governor may designate, for such offices and departments as the governor may direct.

Provided that this section shall not affect the control of purchases for the university by the board of regents nor the control of purchases for the department of public welfare by the director of public welfare.

The commissioner shall keep records showing prices paid by every branch of the civil administration for all classes of commodities and supplies according to specifications for each.

Section 5. Powers and Duties of the Director.—(1) Except as provided in paragraph 3 of this section, all plans and specifications and contracts for state buildings and grounds shall have the written approval of the director of public domain and no such contract shall be valid without his approval.

(2) The director may contract with private architects for the preparation of plans and specifications for buildings and grounds and for the supervision of the work thereon; which plans, specifications and work shall, however, be subject to the approval of the commissioner of buildings, and when so approved such plans and specifications shall be the property of the state. [4003.]

(3) He may in his discretion authorize the construction of buildings by the board of education and the board of regents, as may be provided by law, or the construction of buildings and improvements by day labor, or by the labor of inmates of institutions, as may be provided by law, or the construction of state fair buildings by the department of agriculture as may be provided by law. [3066, 4035, 6499.]

Section 6. Plans and Specifications to be Approved by Certain Officers.—All plans and specifications for buildings and grounds shall be prepared in consultation with the head of the department, bureau or institution by which such buildings or grounds are to be used, and must have the written approval of such head.

Section 7. Offices Abolished.—The state printing commission and the office of state expert printer are hereby abolished.

SUB-TITLE IV.

PUBLIC WELFARE

ARTICLE I.

THE DEPARTMENT.

[4001-4170, 9289-9333, 4636-4689.]

Section 1. Organization.—The department of public welfare shall be constituted as provided in Title I, Article 4.

Section 2. Field of Department.—The director shall control and manage the institutions and supervise and direct the officers under him, and shall, except as otherwise provided in this act, have and exercise all other powers and discharge all other duties now conferred by law on the board of control.

Section 3. Offices Abolished.—The following boards and offices are hereby abolished:

The state board of control and the secretary thereof,
The state board of health and the secretary thereof,
The state board of visitors for public institutions,
The board of managers of the state public school,
The board of women visitors of the Minnesota Home School for Girls.

ARTICLE II.

MANAGEMENT OF INSTITUTIONS.

Section 1. Powers and Duties.—The director shall control and manage all state institutions except educational institutions and the soldiers' home and shall administer all laws relating to such institutions and their inmates, including the following:

The state prison [9289-9321],
The reformatory [9322-9333],
The training school for boys [4054-4068],
The home school for girls [4069-4077],
The hospitals and asylums for the insane [4082-4109],
The school for feeble minded and colony for epileptics [4078-4081],
The hospital farm for inebriates [4110-4130],
The hospital for crippled and deformed children [4135-4138],
The sanatorium for consumptives [4131-4133],
The state public school [4154-4170].

There shall devolve on him all powers and duties relating to these institutions and their inmates, now conferred by law on the board of control and the individual members and the secretary and other employees thereof, and all powers and duties now conferred by law on the board of managers of the state public school, except as provided in Sections 4 and 5 of this article, and except as provided in Title III, Subtitle III, Article VII of this act.

Section 2. Powers and Duties of the Assistant Directors.—The director may in writing assign to an Assistant Director any of the powers and duties conferred upon him under Section 1 of this Article.

Section 3. Powers and Duties of the Comptroller of Institutions.—The comptroller of institutions shall, in the manner now provided by law, keep the books and accounts of the department, and shall have such powers and duties as to auditing of accounts and estimates of the several institutions and purchasing supplies therefor as the director may assign to him. [4027-4029.]

Section 4. Powers and Duties of Heads of Institutions.—The powers and duties of the chief executive officers of the several institutions shall continue as provided by law.

Section 5. Powers and Duties of the Board of Public Welfare.—The board of public welfare shall have the following special powers and duties:

(1) To make rules and regulations not inconsistent with law with regard to the admission, discharge or parole of inmates of the several institutions under the department except the state prison and the reformatory; and to the placing in homes or the apprenticeship of children who are wards of the state. [4062, 4088, 4097, 4119, 4137, 4157.]

(2) To receive and consider correspondence from inmates of any institutions under the department of public welfare, and to examine personally any inmate thereof without the presence of any officer of the institution or the department. [4093.]

(3) All powers and duties now conferred by law upon the board of women visitors for the Minnesota home school for girls and upon the state board of visitors for public institutions. [4139-4142, 4073.]

ARTICLE III.

BOARD OF PAROLE.

[9267-9280.]

Section 1. **Organization.**—The board of parole shall be constituted as provided in Title I, Article IV, Section 3. The assistant director who shall be a member thereof shall be designated by the director of public welfare.

Section 2. **Powers and Duties.**—(1) All powers and duties now conferred by law on the state board of parole shall continue in the board as reconstituted.

(2) The powers now conferred by law on the board of control as to transfer of inmates from one state correctional institution to another shall devolve on the board of parole. [4067, 9324.]

ARTICLE IV.

BUREAU OF HEALTH.

[4636-4689.]

Section 1. **The Commissioner.**—The bureau of health shall be under the commissioner of health, who shall be expert in preventive medicine and sanitary science.

Section 2. **Powers and Duties of the Commissioner.**—The commissioner shall administer all laws and regulations relating to state protection and promotion of public health, except as otherwise expressly provided in this act; he shall exercise general supervision over all local health officers and boards; he shall see to it that every law enacted in the interest of human health is obeyed; he shall enforce all laws relating to vital statistics and statistics of health.

Except as provided in Section 3 of this article and in Article VI of this sub-title, there shall devolve on him all powers and duties now conferred by law on the state board of health and the secretary thereof.

Section 3. **Rules and Regulations.**—All powers and duties with reference to rules and regulations conferred by law on the board of health shall devolve on the board of public welfare. [4640.]

Section 4. **Interstate Quarantine.**—No quarantine against the introduction of diseases from outside the state established by the commissioner under the authority of law shall continue in effect longer than fifteen days unless confirmed by the board of public welfare. [4642.]

ARTICLE V.
BOARD OF SANATORIUMS.

[717-726.]

Section 1. **The Board.**—The advisory commission for the Minnesota Sanatorium for Consumptives shall hereafter be known as the Board of Sanatoriums, and shall continue to have the powers and duties now provided by law.

Section 2. **Inspector of Sanatoriums.**—There shall be under the board of sanatoriums an inspector of sanatoriums who shall have the powers and duties now conferred by law on the secretary of the aforesaid advisory commission. [725.]

ARTICLE VI.
EMPLOYMENTS LICENSED BY THE DEPARTMENT OF PUBLIC WELFARE.

Section 1. **Licensing by Director.**—The director of public welfare shall have charge of the licensing of:

Physicians and surgeons,
Midwives [4982-4992],
Nurses,
Dentists,
Osteopaths,
Optometrists,
Pharmacists, and
Embalmers [5049-5054].

Except as otherwise provided in this article, there shall devolve on him the powers and duties now conferred by Sections 5049 to 5054, inclusive, General Statutes 1913, on the state board of health, and the powers and duties now conferred by law on the following boards, their secretaries and other officers:

State board of medical examiners [4970-4981],
Board of examiners of nurses [4999-5014],
Board of dental examiners [5015-5021],
State board of optometry [5022-5028],
State board of osteopathy [4993-4998],
State board of pharmacy [5029-5048].

The said boards and their officers are hereby abolished.

Section 2. **The Licenses.**—Licenses issued under this article shall be issued by the director of public welfare and shall have the seal of the department of public welfare.

Section 3. **Examinations.**—(1) Whenever under existing law, such license is dependent on examination, the director shall designate persons to conduct such examination to the number and having the qualifications now provided by law for the examinations for the several professions and occupations. In such designation the director shall give due consideration to recommendations by members of the respective professions and by professional organizations therein.

(2) The requirements for such examinations and for passing thereunder shall be as now provided by law.

(3) Upon the report of the examiners that the applicant is qualified and of good moral character, license shall issue and not otherwise:

Provided, That the director may request a re-examination by the same examiners whenever he is satisfied that substantial justice has not been done.

Section 4. Without Examination.—The director may without examination grant licenses for those occupations and professions to persons who under existing law may be licensed without examination.

Section 5. Fees for Examination.—(1) The fees to be paid by candidates shall be fixed by the director of public welfare. They shall as nearly as possible be sufficient to cover the actual expense of examinations and license for the given occupation or profession, but shall not exceed the fees now fixed by law. All such fees shall be turned in to the state treasury.

(2) Any license issued under this article shall remain in force indefinitely unless revoked; and no annual or other recurrent fee or payment shall be required as a condition of the license.

Section 6. Revocation.—Licenses may on the grounds of immoral, dishonorable or unprofessional conduct be revoked by the director subject to appeal to the board of public welfare.

Section 7. Compensation.—The compensation of examiners shall be fixed by the director not to exceed that now provided by law and such compensation and other necessary expenses shall be paid out of the appropriations made by law.

SUB-TITLE V.

DEPARTMENT OF EDUCATION

[2670-3066.]

ARTICLE I.

THE SCHOOL SYSTEM.

Section 1. The Board.—The educational system in Minnesota, except the state university, shall be under the board of education.

Section 2. Powers of the Board.—The board of education shall, except as otherwise provided in this act, administer all laws for state supervision of public schools, libraries, and other public educational institutions or for state aid thereto, or relating to school or state traveling libraries; it shall control and conduct the normal schools and the school for the deaf and blind.

There shall devolve upon it all powers and duties in relation to those matters conferred by law on any officer or board, including the following:

State superintendent of public instruction [2686, 2691, 2692, 2817, 2836, 2868, 2869-2875, 2928, 2962, 2985],

Board of normal school directors and its members and officers [2970-2975],

State high school board and its officers [2888-2894],

State library commission and its members [4911-4915],

Board of directors of the Minnesota schools for the deaf and the blind [4143-4153].

The said offices and boards are hereby abolished.

Section 3. **Rules and Regulations.**—The board of education shall make general rules and regulations, not inconsistent with the provisions of law, relating to the conduct of schools receiving state aid, and the conditions and amount thereof, and prescribing forms of accounts and reports for such schools, and relating to school buildings and to teachers' certificates.

Section 4. **Powers of Superintendent.**—The superintendent of education shall be the chief executive officer of the board of education and shall under its direction exercise the executive and administrative powers and duties of the board.

ARTICLE II.

THE UNIVERSITY.

Section 1. **The Board.**—The university shall be under the board of regents. [Const., Art. VIII, Sec. 4; also 3010-3061.]

Section 2. **Powers of the Board.**—Except as provided in this act, all powers and duties now by law conferred on the board of regents of the university and its officers are continued in it.

All powers and duties by law conferred on the board of administration of farmers institutes shall devolve upon the board of regents. [2990-2994.]

Section 3. **Duties of President.**—The president of the university shall be the chief executive officer of the board of regents and shall under its direction exercise the executive and administrative powers and duties of the board. [3022.]

Section 4. **Duties of the Comptroller.**—The comptroller of the university shall, in the manner provided by law, keep the books and accounts of the university, and shall have such powers and duties as to auditing of accounts and estimates of the university and purchasing supplies therefor as the board of regents may prescribe. [3061.]

Section 5. **Model Creamery.**—The board of regents shall control and manage the experimental creamery at Albert Lea. [See Appropriation Acts.]

Section 6. **Offices Abolished.**—The board of administration of farmers' institutes and its officers are hereby abolished.

ARTICLE III.

COUNCIL OF EDUCATION.

Section 1. **The Council.**—The council of education shall meet:

- (1) At the call of either the board of education or the board of regents, or
- (2) At the call of the governor.

It shall elect officers at its pleasure and make rules for its own proceedings.

Section 2. **Duties of Council.**—The council shall consider all matters affecting the educational system of the state as a whole; and the relation between the university and other branches of the educational system; and any matters where the action of one board may affect the policy of the other.

The estimates of the board of education and the board of regents for the budget shall be considered by the council and transmitted by it to the governor, with a note indicating as to what items, if any, the two boards are not in agreement. [See Title IV.]

Section 3. **Exchange of Information.**—It shall be the duty of the board of education and the board of regents promptly to furnish each to the other a copy of the minutes of its proceedings and of any proposal for legislation.

SUB-TITLE VI.

DEPARTMENT OF LABOR AND COMMERCE

ARTICLE I.

THE DEPARTMENT.

[3812-3946.]

Section 1. **Organization.**—The department shall be constituted as provided in Title I., Article VI.

ARTICLE II.

BUREAU OF LABOR.

Section 1. **The Commissioner.**—The bureau of labor shall be under the commissioner of labor. [3812.]

Section 2. **Powers and Duties.**—The commissioner of labor shall administer all laws and regulations relating to the well being and safety of human beings engaged in industry and commerce, including the laws relating to the inspection of boilers and vessels; he shall enforce all laws and regulations and local ordinances relating to the employment, health, morals, comfort and general welfare of minors and women; he shall manage the state free employment bureaus; he shall administer the laws relating to hotels and restaurants except as otherwise provided in this title.

Except as otherwise provided in this act, there shall devolve on him all powers and duties now conferred by law on the commissioner of labor, on the department of labor and industries, its bureaus, officers and employees, on the county inspectors of mines, and on inspectors of boilers and vessels. [3924-3936, 4737-4755.]

The powers and duties now conferred by law on the hotel inspector with reference to plumbing, ventilation, towels, bedding and other requirements for sanitation and cleanliness in hotels, shall devolve upon the commissioner. [5117, 5120.]

Section 3. **The Board of Labor.**—The board of labor shall consist of five members. There shall be at least one wage-earner and one employer of labor on said board.

Section 4. **Powers and Duties of Board.**—(1) The board of labor shall, relative to the bureau of labor, be vested with the non-executive powers enumerated in Title III., Subtitle I., Article I., Section 5.

(2) The board of labor may make general rules and regulations supplementary to the labor laws but not inconsistent with law so far as they affect the rights of private parties, including standards of safety and sanitation for work places and for their machinery and equipment. [3837, 3848, 3854, 3862, 3863, 3873, etc.]

(3) All powers and duties conferred by law on the state board of arbitration shall devolve upon the board of labor. [3940-3946.]

(4) All powers and duties of the minimum wage commission shall devolve on the board of labor: provided, that the commissioner of labor shall, subject to appeal to the board, have the power now conferred on the

said commission to issue special licenses for the employment of women at sub-standard wages, and provided that the duty of enforcing the orders and rules of the board as to wages shall devolve on the commissioner of labor. [3904-3933.]

Section 5. Boards and Offices Abolished.—The following boards and offices are hereby abolished:

The state board of inspectors of boilers and vessels and its members,
The state board of arbitration,
The minimum wage commission and its secretary,
The county inspectors of mines.

ARTICLE III. BUREAU OF BANKS.

[4624-4635.]

Section 1. The Commissioner.—The bureau of banks shall be under the commissioner of banks.

Section 2. Powers and Duties.—The state superintendent of banks shall hereafter be known as the commissioner of banks; all powers and duties now conferred by law on the superintendent of banks shall continue in the commissioner.

The bonds of collection agencies, now required by law to be filed with the secretary of state, shall hereafter be filed with the commissioner of banks, and the powers and duties of the secretary of state with reference to such bonds shall devolve upon the commissioner. [5098.]

ARTICLE IV. BUREAU OF INSURANCE.

[3240-3618.]

Section 1. The Commissioner.—The bureau of insurance shall be under the commissioner of insurance.

Section 2. Powers and Duties of Commissioner.—The commissioner of insurance shall administer all laws relating to state supervision of insurance; he shall be custodian of all trusts created thereby; he shall manage the state insurance on public buildings and contents.

All powers and duties conferred by law on the commissioner of insurance and on the department of insurance and its officers and employees shall continue in him.

Section 3. Fire Marshal.—The state fire marshal shall be under the commissioner of insurance. [5105-5166.]

All powers and duties conferred by law upon the state fire marshal shall continue in him; he shall see to it that all laws relating to the protection of buildings from fire and to fire escapes are enforced; the licensing of hotels and restaurants shall devolve upon the fire marshal. [5105-5128.]

An appeal from any order issued by the fire marshal or his subordinates may be taken to the director of labor and commerce, provided that this section shall in no way abridge any right of appeal to the courts provided by law. [5115, 5143.]

Section 4. Repeal.—Section 5150, General Statutes 1913, is hereby repealed.

Section 5. Expenses.—The tax on fire insurance companies now provided by law for the purpose of maintaining the fire marshal's department

shall hereafter be credited to the general revenue fund, and the expenses of the fire marshal's office shall be provided for by current appropriations by the legislature. [5151.]

Section 6. **Offices Abolished.**—The office of hotel inspector is hereby abolished.

ARTICLE V.

BUREAU OF STANDARDS.

Section 1. **The Commissioner.**—The bureau of standards shall be under the commissioner of standards.

Section 2. **Powers and Duties.**—Except so far as by this act other officers are expressly empowered to administer such laws, the commissioner of standards shall administer all laws and regulations relating to standards of quantity and quality for and of commodities; relating to weights and measures; relating to the prevention of fraud and deception in the manufacture and sale of human food and drink and of other edible and non-edible commodities, and to the purity and wholesomeness thereof; relating to the safety and purity of illuminating oils and gasoline; relating to the survey and scaling of logs and lumber.

Except as elsewhere provided in this act, there shall devolve on him all powers and duties relating to these matters now conferred by law on the following officers and boards:

The department of weights and measures, the commissioner thereof and his employes [4611-4623],

Board of railroad and warehouse commissioners [4617],

State inspector of oils and his deputies [3619-3632],

Dairy and food commissioner and his employes [3633-3771],

Surveyors general of logs and lumber and their deputies [5453-5479].

Section 3. **Rules and Regulations.**—(1) The power now conferred by law on the railroad and warehouse commission to make rules and regulations regarding weights and measures, shall, so far as such rules and regulations affect the rights of private parties, continue in the board of commerce. [4613.]

(2) The power now conferred by law on the dairy and food commissioner to make rules and regulations regarding the labeling, stamping, stenciling, marking and branding of articles, packages, receptacles and containers shall devolve on the board of commerce. [3722, 3735, 3741, 3743, etc.]

Section 4. **Mattresses.**—The duty now imposed by law on the commissioner of labor with reference to the manufacture of mattresses shall devolve on the commissioner of standards. [3779.]

Section 5. **Logs and Lumber.**—The districts for the survey and measurement of logs and timber now provided by law are hereby abolished; suitable districts for that purpose may be established by the commissioner with the approval of the director.

All records required by law to be kept by surveyors general of logs and lumber shall be kept at such places as shall be prescribed by the commissioner of standards with the approval of the director.

To secure the payment of fees for the services of the commissioner relating to logs, timber and lumber, the state shall have a lien upon the same which the commissioner may retain and enforce in the name of the state in

the manner now provided by law with respect to the lien of surveyors general.

Section 6. Matches.—It shall be the duty of the commissioner of standards to co-operate with the state fire marshal in the enforcement of the provisions of law regarding the manufacture, storage and sale of matches. [5162-5166.]

Section 7. Offices Abolished.—The following offices are hereby abolished:

The department of weights and measures, the commissioner thereof and his deputies,

State inspector of oils and his deputies,

Dairy and food commissioner and his employees,

Surveyors general of logs and lumber and their deputies.

Section 8. Co-Operation with Commissioner of Dairies.—The commissioner of standards and his subordinates shall co-operate with the bureau of dairies in the enforcement of the laws relating to the sale and use of dairy products and the substitutes therefor. [Subtitle VII., Art. II.]

ARTICLE VI.

BUREAU OF GRAIN INSPECTION.

[4435-4605.]

Section 1. The Chief Inspector.—The bureau of grain inspection shall be under the chief grain inspector.

Section 2. Powers and Duties of the Inspector.—The chief grain inspector shall administer all laws and regulations relating to state inspection and grading and weighing of grain, and weighing and inspection of hay and straw, and weighing of coal; he shall administer all laws and regulations relating to public grain warehouses and issue licenses therefor; he shall enforce the laws and regulations relating to commission merchants.

Except as otherwise provided in this act, there shall devolve upon him all powers and duties relating to these matters now conferred by law on the railroad and warehouse commission and its secretary, its warehouse registrar and chief grain inspector, and on the state grain and hay inspectors and state weighmasters and weighers. [4455, 4175, 4462, 4489.]

Section 3. Form of Receipt.—The form of warehouse receipt prescribed by law is hereby amended by striking out the words where they occur, "Appointed by the State Railroad and Warehouse Commission of Minnesota," and inserting in lieu thereof the words, "the State of Minnesota." [4437.]

Section 4. Special Duties of the Board of Railroads and Warehouses.—The board of railroads and warehouses shall continue to have all powers and duties now conferred by law on the railroad and warehouse commission with reference:

(1) To the making of rules and regulations affecting the grain, hay, and straw business and the business of warehousing the same; and of rules and regulations regarding the methods of inspecting and weighing of grain, hay, and straw, and coal, so far as they affect the interests of private parties. [4443, 4497, 4582, 4602.]

(2) To the investigation of complaints of fraud or injustice in the grain, hay, and straw trade, and to the investigation, on its own motion or upon complaint, of the business of any public grain warehouseman.

(3) To the fixing of the charges of public grain warehouses and to the prevention of discrimination in such charges. [4443, 4497.]

(4) To the final review of hay and straw inspection. [4581.]

[Track scales 4209, 4580],

[Coal scales 4218],

[Warehouse scales 4447].

Section 5. Appeals to Board of Railroads and Warehouses.—Appeals shall lie to the board of railroads and warehouses from any act of the chief inspector relating to the following matters:

(1) The time when any public warehouse shall be kept open for business. [4478.]

(2) The places where grain inspection and weighing service shall be performed. [4480.]

(3) The refusal or revocation of licenses of warehousemen or commission merchants.

(4) The designation of public hay tracks. [4577.]

Section 6. The Boards of Grain Appeals.—The boards of grain appeals at Minneapolis and Duluth shall be constituted and shall hold office as now provided by law: provided that the members thereof shall be appointed by the board of railroads and warehouses and shall have such qualifications as said board may prescribe. [4448-4459.]

It shall be the duty of the boards of grain appeals, as provided by law, to establish Minnesota grades for grain, and to determine all appeals as to the grading and dockage of grain.

The duty of establishing grades for hay and straw, now imposed by law on the railroad and warehouse commission, shall devolve on the boards of grain appeals. [4581.]

Section 7. Funds.—All receipts from the inspection or weighing of grain, of hay and straw, and of coal, and the appeals from such inspection, shall be paid into the Grain Inspection Fund, which shall be kept by the state treasurer, provided that if on August 31st of any year there shall be in said fund a surplus exceeding \$50,000, such surplus shall be turned into the general revenue fund. [4464, 4454, 4585.]

All expenses of the bureau of grain inspection and of the boards of grain appeals shall be paid out of said fund.

Section 8. Fees, How Fixed.—The director shall before September 1st in each year establish fees, subject to the approval of the board, for the services provided for in this article. The fees for the grain service, the hay and straw service and the coal service, respectively, shall be fixed on a basis calculated to produce an amount equal as near as may be to the cost of each branch of the service. [4213, 4219, 4464, 4473, 4585, 4590.]

Except in case of emergency, the fees shall not be changed during the year, but if it shall at any time appear that the grain inspection fund will not be sufficient to meet the expenses, the director may, with the approval of the board, increase the fees.

ARTICLE VII.

BOARD OF RAILROADS AND WAREHOUSES.

[4171-4434.]

Section 1. The Board.—The railroad and warehouse commission shall hereafter be known as the board of railroads and warehouses. It shall also be ex officio the board of commerce. [Title I., Art. VI., Sec. 3.]

Section 2. Powers and Duties.—The board of railroads and warehouses shall administer all laws relating to common carriers, to terminal transport facilities, and to elevator sites on railroad rights of way, and shall continue to have and exercise all powers and duties now conferred by law on the railroad and warehouse commission, except as otherwise expressly specified in this act.

Section 3. Board of Commerce.—With respect to the entire field of the department of labor and commerce, except that of the board of labor and the bureau of labor, the board of commerce shall have the powers and duties prescribed in Title III, Subtitle 1, Article I, Section 5.

Section 4. Track and Elevator Scales.—The power now conferred by law on the railroad and warehouse commission to require the installation of scales by railroads and common carriers and stock yards and to prescribe rules and regulations for their use, shall continue in the board of railroads and warehouses; provided [4213, 4221, 4580],

(1) The powers and duties of the commission as to the inspection, testing and sealing of all scales shall devolve on the commissioner of standards;

(2) The powers and duties of state weighmasters as to the testing and sealing of scales in terminal grain elevators and warehouses shall devolve on the commissioner of standards;—

(3) Nothing herein shall affect the powers and duties of the bureau of grain inspection as to the weighing of grain, hay and straw, and coal. [4209-4222, 4447.]

(4) The cost of inspecting, testing and sealing such scales shall be borne as now provided by law, shall be collected by the commissioner of standards and turned into the state treasury to the credit of the revenue fund.

ARTICLE VIII.

EMPLOYMENTS LICENSED BY DEPARTMENT OF LABOR AND COMMERCE.

Section 1. Licenses—By Whom Issued.—The commissioner of labor shall have charge of the licensing of barbers, electricians, horseshoers, and automobile chauffeurs, and engineers, and masters and pilots of vessels.

Except as otherwise provided in this act, there shall devolve on him the powers and duties now conferred by law on the following boards, their members, secretaries and other officers:

State barbers board [5055-5062],

State board of electricity [5082-5089],

Horseshoers board of examiners [5068-5070],

Board of automobile examiners [2638-2642],

Board of inspectors of boilers and vessels [4737-4755].

The said boards and officers are hereby abolished.

The powers and duties conferred on the secretary of state by Section 2638, General Statutes 1913, shall devolve upon the commissioner, and the records and books therein mentioned shall be kept in his office.

The commissioner of standards shall have charge of the licensing of certified public accountants, and, except as otherwise provided in this article, there shall devolve on him the powers and duties now conferred by law on the state board of accountancy, which is hereby abolished. [4962-4969.]

Section 2. The Licenses.—Licenses issued under this article shall be issued by the commissioner of labor and the commissioner of standards, respectively, and countersigned by the director of labor and commerce, and shall have the seal of the department of Labor and Commerce.

Section 3. Examinations.—(1) Whenever, under existing law, such license is dependent on examination, the director shall designate persons to conduct such examination to the number and having the qualifications now provided by law for the examinations for the several professions and occupations.

(2) The requirements for such examinations and for passing thereunder shall be as now provided by law.

(3) Upon the report of the examiners that the applicant is qualified and of good moral character, license shall issue, and not otherwise.

Provided, that the commissioner may request a re-examination by the same examiners whenever he is satisfied that substantial justice has not been done.

Provided, that the examinations for engineers and for masters and pilots of vessels shall be conducted by three persons who shall be duly licensed engineers, or employees of the bureau of labor designated to inspect boilers.

Section 4. Without Examination.—The commissioner of standards may without examination grant licenses to accountants, who under existing law may be licensed without examination.

Section 5. Fees for Examinations.—(1) The fees to be paid by candidates shall be fixed by the director of labor and commerce. They shall as nearly as possible be sufficient to cover the actual expense of examinations and license for the given occupation or profession, but shall not exceed the fees now fixed by law. All such fees shall be turned into the state treasury to the credit of the revenue fund.

(2) Any license issued under this article shall remain in force indefinitely unless revoked, and no annual or other recurrent fee or payment shall be required as a condition of the license.

Section 6. Revocation.—On the grounds provided by law for the revocation thereof, licenses may be revoked by the commissioner issuing them. Such revocation shall be subject to appeal in the case of certified accountants to the board of commerce, and, in the case of the other occupations mentioned in this article, to the board of labor.

Section 7. Compensation.—The compensation of the examiners shall be fixed by the director not to exceed that now provided by law and such compensation and other necessary expenses shall be paid out of the appropriations made by law.

SUB-TITLE VII.

DEPARTMENT OF AGRICULTURE

ARTICLE I.

THE DEPARTMENT.

Section 1. Organization.—The department of agriculture shall be constituted as provided in Title I., Article VII.

Section 2. Powers and Duties of Director.—The director of agriculture shall promote the agricultural interests of the state and shall have the powers and duties elsewhere conferred upon him by law.

Section 3. Relation of Department to University.—It shall be the duty of the department of agriculture and the university to co-operate in all ways that may be beneficial to the agricultural interests of the state.

It is the intent of this act that police powers in reference to agriculture shall be exercised by the department and that the university shall retain its present powers and duties in obtaining and disseminating agricultural information and conducting agricultural research, and shall retain custody of scientific collections.

ARTICLE II. BUREAU OF DAIRIES.

Section 1. The Commissioner.—The bureau of dairies shall be under the commissioner of dairies.

Section 2. Powers and Duties of Commissioner.—The commissioner of dairies shall administer all laws and regulations relating to the promotion and supervision of the dairy industry, and to the licensing of dairies, and to the purity and wholesomeness of dairy products. [3640-3641, 3644-3691, 3730.]

All powers and duties in relation to these matters now conferred by law on the dairy and food commissioner shall devolve upon the commissioner of dairies.

Section 3. Approval of Board.—The commissioner shall have power to make rules and regulations, with the approval of the board of agriculture, in regard to the scoring of butter and cheese, and of factories and dairies by the bureau. [3684-3685.]

ARTICLE III. BUREAU OF ANIMAL INDUSTRY.

Section 1. The Commissioner.—The bureau of animal industry shall be under the commissioner of animal industry.

Section 2. Powers and Duties of the Commissioner.—The commissioner of animal industry shall administer all laws and regulations for the protection of health of domestic animals and the promotion of animal husbandry. [4690-4722, 5071-5081.]

Except as otherwise provided in this act, there shall devolve upon him all powers and duties relating to these matters now conferred by law on any officer or board including the following:

State live stock sanitary board and its secretary and other officers,

Stallion registration board.

Section 3. Appeals from Commissioner.—Appeals from the order of the commissioner shall lie to the director of agriculture with reference to:

Refusal or revocation of license to use tuberculin and mallein or hog cholera serum,

Refusal or revocation of certificates of enrollment of stallions. [5073.]

Section 4. Special Powers of Board.—There shall devolve on the board of agriculture the power now conferred by law on the live stock sanitary board to make rules and regulations affecting the rights of private parties including the following:

Affecting or prohibiting the movement of animals into or out of the state. [4693, 4703.]

Determining what constitutes sufficient ground for ordering animals to be killed. [4693-4696.]

Determining the compensation of experts and appraisers. [4698.]

Governing the issue of certificates of health for animals brought into the state. [4721.]

Governing the distribution and use of tuberculin and mallein and hog cholera serum. [4707-4720.]

The power now conferred by law on the stallion registration board to make regulations concerning the enrollment and licensing of stallions shall devolve upon the board of agriculture. [5072.]

Section 5. Form of Certificate.—The form of certificate authorized to be issued for stallion registration is hereby amended to conform to this act by substituting the words "State of Minnesota, Department of Agriculture, Bureau of Animal Industry," for the words "Stallion Registration Board"; substituting the words "Bureau of Animal Industry" for the words "College of Agriculture, Bureau of Animal Industry," and substituting the words "Commissioner of Animal Industry" for the words "Professor of Animal Industry and Secretary Stallion Registration Board." [5076.]

Section 6. Offices Abolished.—The following offices are abolished:

Live stock sanitary board and its secretary,

Stallion registration board and its secretary.

ARTICLE IV.

DIVISION OF PLANT INDUSTRY.

Section 1. Organization.—The division of plant industry shall be under a chief inspector of plants.

Section 2. Powers and Duties.—The chief inspector shall administer all laws and regulations for the protection and development of orchards and nurseries; for maintaining the purity of seeds, and for the suppression of plant pests; and shall administer all laws relating to the bee and honey industry.

All powers and duties now conferred by law on the state entomologist shall devolve upon the chief inspector, and the office of state entomologist is hereby abolished. [5174-5190.]

He shall co-operate with the bureau of standards in the enforcement of the law relating to concentrated commercial feeding stuffs. [3706-3711.]

He shall enforce the law relating to agricultural seeds and for that purpose the powers and duties now conferred by law on the Minnesota Agricultural Experiment Station at St. Anthony Park, Minnesota, shall devolve on him: [3759-3771.]

Provided, that said experiment station shall as now provided by law report free of charge on any seeds sent it for examination, analysis and tests. [3766.]

All powers and duties now conferred by law on the state inspector of apiaries shall devolve on the chief inspector of plants, and the office of state inspector of apiaries is hereby abolished. [4723-4736.]

ARTICLE V.
BUREAU OF EXHIBITS.

[6491-6521.]

Section 1. **The Commissioner.**—The bureau of exhibits shall be under the commissioner of exhibits, who shall also be commissioner of the State Fair.

Section 2. **Administration of the State Fair.**—The State Fair shall be under the supervision and direction of the director of agriculture. All powers and duties in regard thereto conferred by law on the state agricultural society and its governing board and president shall devolve on him. The director may assign to the commissioner any such powers and duties except as herein provided; subject to the supervision of the director, the commissioner shall have all powers and duties of the secretary of the state agricultural society relative to the State Fair.

Section 3. **Conduct of State Fair.**—The director shall establish suitable departments of the state fair, six in number, representative of the varied resources of the state, and shall in the following manner appoint a supervisor for each:

It shall be the duty of the State Agricultural Society to select annually not less than five members of the society and present their names to the director of agriculture, who shall choose from them two persons to be supervisors of such departments and shall assign each to a department. Supervisors shall serve for three years; provided that the director shall the first year appoint six supervisors and shall divide them into classes to serve one, two and three years, respectively.

If no persons so selected accept appointment, the director shall appoint the supervisors in the manner provided in Title II., Article III. The compensation of supervisors shall be fixed by the director as otherwise provided by law.

The supervisors, when called together by the commissioner of exhibits, shall constitute a "Council of the State Fair."

Other employes of the bureau shall be appointed in the manner prescribed in Article II., Section III.

Section 4. **Powers and Duties of the Commissioner.**—In addition to the powers and duties mentioned in Section 2 of this article the commissioner of exhibits shall administer all laws and regulations relating to state aid to, or state supervision of, agricultural societies.

Section 5. **Special Powers and Duties of the Director.**—(1) All programs, premium lists, allotments of space, contracts and concessions and licenses in connection with the state fair shall be subject to the approval of the director. No contract, concession or license shall be valid unless countersigned by him.

(2) He shall consult with the board of agriculture as to the general conduct of the fair.

(3) Whenever under existing law any transaction relating to finances requires action by the governing board or the president of the State Agricultural Society, it shall require such action by the director.

Section 6. **Co-operation.**—It shall be the duty of the director and the commissioner in the conduct of the state fair to obtain in every possible

way the co-operation of the state agricultural society and other organizations for the promotion of agricultural interests, and of other commercial, industrial and civic associations.

Section 7. Finances.—All receipts from the State Fair shall be credited to the general revenue fund and all expenses thereof shall be paid out of the appropriations made by law. [6501-3.]

All other provisions of law with regard to the financial management and accounting of the State Fair shall, except as amended by this act, continue in effect.

Section 8. Special Powers of the Board of Agriculture.—The power to make by-laws, ordinances, rules and regulations now conferred by law on the state agricultural society and its governing board by the provisions of Sections 6505 and 6506, General Statutes 1913, shall devolve on the board of agriculture. [6505-6.]

Section 9. Powers Abolished.—The State Agricultural Society and its governing board is hereby divested of its management and control of the state fair. The provisions of law for the salaries and expenses of its officers and governing board are hereby repealed, and the society is authorized to fix the same and provide for their payment out of any funds at its disposal. The provisions of Sections 6495-6514, inclusive, General Statutes 1913, shall not hereafter apply in any particular to the said society or its officers.

Section 10. State Aid to Agricultural Societies.—It shall be the duty of the commissioner to acquaint himself with the scope and conduct of all societies receiving or seeking state aid for the promotion of agricultural interests, and with the character of the exhibits made by them. [6515-6521.]

No warrant for the payment of such state aid shall be issued by the auditor without the written approval of the claim by the commissioner of exhibits, provided that an appeal shall lie to the board of agriculture from his refusal to approve the claim of any such society.

Any such society seeking state aid, other than is now provided by law, shall present its application and the reasons therefor, to the director of agriculture.

Any society receiving state aid for the promotion of agricultural interests shall

(1) Make annual report to the director of agriculture in the manner required by him.

(2) Be subject to examination by the auditor. [6520.]

(3) Give the commissioner of the state fair access to its records and accounts and furnish such information regarding its affairs as he may require.

The report of the secretary of such societies now required by law to be filed with the state auditor, shall hereafter be filed with the commissioner. [6518.]

The board of agriculture shall make rules and regulations not inconsistent with law regarding the apportionment of state aid to agricultural societies and any such apportionment shall be subject to its approval.

ARTICLE VI.
BUREAU OF IMMIGRATION.

[3947-3952.]

Section 1. **The Commissioner.**—The bureau of immigration shall be under the commissioner of immigration.

Section 2. **Powers and Duties of Commissioner.**—The commissioner shall make known Minnesota's resources throughout the world and perform other like duties that the director of agriculture may assign to him.

All powers and duties of the commissioner of immigration heretofore established by law shall continue in the commissioner.

All powers and duties of the Minnesota state board of immigration shall devolve upon him and said board is hereby abolished.

ARTICLE VII.
OCCUPATIONS LICENSED BY DEPARTMENT OF AGRICULTURE.

Section 1. **Licenses—By Whom Issued.**—The commissioner of animal industry shall have charge of the licensing of veterinaries. [5063-5067.]

There shall devolve on him all powers and duties of the state veterinary examining board, which board is hereby abolished.

Section 2. **The Licenses.**—Licenses issued under this act shall be issued by the commissioner of animal industry and shall be countersigned by the director of agriculture.

Section 3. **Examinations.**—Examinations required by law to be held for such licenses shall be conducted by five persons designated by the director of agriculture, who shall have the qualifications prescribed by law for the state veterinary examining board.

Upon the report of the examiners that the applicant is qualified license shall issue and not otherwise.

Section 4. **Fees and Compensation.**—The fees to be paid by applicants for license shall be fixed by the director, not to exceed the amount now fixed by law, and shall, as nearly as possible, be sufficient to cover the actual expense of examination and license.

The compensation of examiners shall be fixed by the director.

TITLE IV.
THE BUDGET
ARTICLE I.

PREPARATION OF ESTIMATES.

Section 1. **Definitions.**—The word "estimate" as used in this title shall mean a statement showing:

1. The amounts needed during each year of the ensuing biennial period for the work and for the other disbursements of any department, bureau, board, institution, office or branch of the state government, including purchases of land and permanent improvements.

2. The anticipated funds or revenues available for such purposes and the anticipated receipts in connection with such work.

3. The funds available or appropriations authorized for the same purposes during each year of the current biennium.

4. The expenditures for the purposes specified during each year of the current biennium.

5. Such other information as may be required by law or executive order.

The word "budget" shall mean the complete estimates for the entire state government, including a summary thereof and a schedule of appropriations requested and of estimated tax levies to correspond therewith.

Section 2. **By Whom Prepared.**—Every officer or board under whose direction any public money is to be expended shall prepare an estimate at such time and in such form as may be required by law or executive order.

Section 3. **To Whom Submitted.**—Every board shall submit its estimate to the governor: Provided that the boards of grain appeals shall submit their estimates to the board of railroads and warehouses; the board of trustees of the soldiers' home and the board of sanatoriums shall submit their estimates to the director of public welfare; the state historical society and the state art society shall submit their estimates to the council of education. Every other officer shall submit his estimate to his immediate superior.

Section 4. **Revision.**—It shall be the duty of the head of each department and of every officer to whom estimates are submitted, to assemble the same and, in consultation with the subordinate officers submitting them, to revise such estimates.

Section 5. **Duty of the Governor.**—It shall be the duty of the governor to assemble, not later than December first, immediately preceding each regular session of the legislature, all estimates so prepared and, in consultation with the chief executive officers, to make final revision of the estimates, having in view the total expenditure, the total revenues and the resulting tax levy. For that purpose he shall also include estimated expenditures for the judiciary, the legislature and the militia. He shall thereupon prepare the budget, and cause it be printed in form convenient for the legislature, and shall lay it before each branch of the legislature not later than the first day of February or the first day of the regular session, if it be later.

ARTICLE II.

FORM AND CONTENTS.

Section 1. **Form.**—Every estimate shall be in such form as may be required by law and as the governor may direct. All estimates shall be as nearly as practicable of a similar form.

Section 2. **Contents.**—Every estimate shall present the following information and such other information as may be required by law and as the governor may direct:

1. It shall show in parallel columns:

Name of item.

Citations to statutes authorizing the service or fixing particular items.

Appropriations for each year of the current biennium.

The actual expenditures and anticipated expenditures during each year of the current biennium.

Amounts needed for each year of the coming biennium.

Explanations of increases or decreases.

Estimated revenue or receipts in connection with each service.

2. It shall distinguish each line of work or activity and shall distinguish at least the following classes of expenditures: (1) Salaries; (2) Permanent improvements and equipment; (3) All other expenses.

ARTICLE III.

ALLOTMENTS AND ACCOUNTING.

Section 1. **Allotments.**—It shall be the duty of each appointing officer, after consultation with his subordinates, to allot within each appropriation to be expended under his direction the amounts, if any, for the several purposes set forth in the estimates submitted to the legislature, not inconsistent with the terms of the appropriation act. Subject to the restrictions of the appropriation act, allotments may, in case of necessity be altered by any appointing officer at any time. All such allotments and changes therein shall, when made, be filed with the auditor.

Section 2. **Accounting.**—A debit and credit account of every allotment shall be kept by the auditor or by the office or department concerned and no expenditure shall be made in excess of the balance available therein.

TITLE V.

SALARIES

[294-297.]

Section 1. **Salaries of Elective Officers.**—The salaries of the governor, secretary of state, auditor, treasurer and attorney general shall continue as fixed by law.

Section 2. **Salaries of Directors.**—The salaries of the director of public domain, of public welfare, of labor and commerce and of agriculture and of the superintendent of education shall be each \$——.

Section 3. **Salaries of Boards.**—The salaries of the members of the board of taxation shall be the same as now fixed by law for the members of the Minnesota tax commission; the salaries of the board of railroads and warehouses shall be the same as now fixed by law for the railroad and warehouse commissioners.

The salaries of the members of the boards of grain appeals shall be fixed by the board of railroads and warehouses.

The compensation of the appointed member of the board of parole shall be fixed by the director of public welfare.

Members of all other boards shall serve without pay except their actual traveling expenses.

Section 4. **Salaries of Certain Officers.**—The salaries of commissioners of bureaus and other officers, specially provided in this act, shall be as follows:

A—1. Commissioner of Civil Service, \$——.

2. Public Examiner, \$——.

B—1. Commissioner of Public Lands, \$——.

2. Commissioner of Forestry, \$——.

3. Commissioner of Game and Fish, \$——.

4. Commissioner of Highways, \$——.

5. Commissioner of Drainage, \$——.

6. Commissioner of Buildings and Purchases, \$——.

- C—1. Assistant Director of Public Welfare, \$_____.
- 2. Assistant Director of Public Welfare, \$_____.
- (or each)
- 3. Comptroller in Department of Public Welfare, \$_____.
- 4. Commissioner of Health, \$_____.
- 5. Inspector of Sanatoriums, \$_____.
- D—1. Comptroller for the University, \$_____.
- E—1. Commissioner of Labor, \$_____.
- 2. Commissioner of Banks, \$_____.
- 3. Commissioner of Insurance, \$_____.
- 4. Fire Marshal, \$_____.
- 5. Commissioner of Standards, \$_____.
- 6. Chief Grain Inspector, \$_____.
- G—1. Commissioner of Dairies, \$_____.
- 2. Commissioner of Animal Industry, \$_____.
- 3. Chief Inspector of Plants, \$_____.
- 4. Commissioner of Exhibits, \$_____.
- 5. Commissioner of Immigration, \$_____.

Provided that the salary of an officer who has served less than five years in his position, or its equivalent under former law, shall be \$_____ less than the amount above fixed; and that the salary of an officer who has so served less than three years shall be \$_____ less than said amount.

Section 5. **Salaries of Employes.**—The salary and compensation of every other employe shall be that of the classes, ranks and grades to which he is assigned, as classes, ranks and grades may be established pursuant to law; and shall not in any case exceed the maximum now fixed by law for the same or similar positions. [Title II., Art. III.]

Provided that the salary of the presidents of normal schools and of persons employed for teaching or scientific investigation in the department of education shall be fixed by the Board of Education; and that the salary of the president of the university and persons employed for teaching or scientific investigation in the university shall be fixed by the Board of Regents.

Section 6. **Duplication Forbidden.**—No person in the civil administration shall receive two salaries from the state, and except as otherwise provided in this act no person shall hold more than one position or office in the civil administration.

Provided that members of the legislature shall not be ineligible for appointment to unpaid boards, and that employes of state educational institutions shall not be ineligible for appointment to any unpaid board.

(See Constitution Art. 3, Art. 4, Sec. 9, Art. 6, Sec. 11, see also 116.)

TITLE VI.

SCHEDULE

Section 1. **Rights Not Affected.**—The provisions of this act shall not affect any act done, ratified or confirmed, or any right accrued or established, or any action or proceeding had or commenced in a civil or criminal cause before this act takes effect; but the proceedings in such case shall conform, so far as practicable, to the provisions of this act. This act shall not affect any penalty or forfeiture previously incurred. [G. S. 9399, 9400.]

Section 2. Transfers of Records and Equipment.—Every officer and employe shall transfer to the officer upon whom his duties are devolved by this act all records, books and papers made or kept by him pursuant to law and all property and equipment in his custody.

Section 3. Obligations and Penalties.—Whenever, under existing law any power is conferred upon any board or officer or any deputy or subordinate thereof, the same shall be exercised by the board or officer upon whom by this act such power is devolved, or by the subordinates and employes to whom such board or officer may assign the exercise of such power, and every act done in the exercise of such power shall have the same legal effect as if done by the former board, officer, deputy or subordinate.

Every person and body corporate and politic shall be subject to the same obligations and duties and shall have the same rights arising from the exercise of such power as if such power were exercised by the board, officer, deputy or subordinate on whom it is conferred by existing law.

Every person shall be subject to the same penalty or penalties, criminal and civil, for failure to perform any such obligation or duty, or for doing a prohibited act, as if such obligation or duty arose from, or such act were prohibited in the exercise of such power by the board, officer, deputy or subordinate on whom it is conferred by existing law.

Every officer or employe shall, for any offense, be subject to the same penalty or penalties, as are prescribed by existing law for the same offense by any officer or employe whose powers or duties devolve upon him under this act.

Section 4. Immunities and Rights.—Wherever any immunity or right is now by law granted to any officer or employe in the civil administration, the same immunity or right shall under the conditions prescribed by law, be given the officer or employe upon whom his powers and duties are by this act devolved.

Section 5. Duty of the Public.—Wherever reports or notices are now required to be made or given or papers or documents furnished or served, by any person, to or upon any state officer or employe, the same shall be made, given, furnished or served in the same manner to or upon the officer upon whom are devolved by this act the powers and duties now exercised or discharged by said officer or employe; and every penalty for failure so to do shall continue in effect.

Section 6. Laws Subordinate to This Act.—Wherever by this act the powers and duties now conferred by law on any officer or employe are continued in him or transferred to another, the exercise of such powers and duties shall be subordinate to all the provisions of Title II, of Title III Subtitle I, and of Title IV, Title V, and Title VI of this act, and every provision of law continued by this act shall be construed as so modified.

Section 7. Positions Abolished.—All offices and positions in the civil administration provided for by existing law, which are not expressly continued by this act are hereby abolished.

Section 8. Tenure of Office.—Every officer and employe who may be in the civil administration when this act takes effect shall be assigned to a position, if such there be, having, so far as possible, duties equivalent to his former office or employment, and shall be entered on the records of the

board of civil service; and shall, thereafter, be subject to the provisions of this act as to promotion, transfer, demotion or removal.

Provided that this section shall not operate to require the retention in the civil administration of any more persons than are necessary for the proper performance of its functions.

Section 9. Temporary Salary Provision.—Except as otherwise provided by this act all officers and employes retained under the provisions of Section 8 of this article shall receive the same compensation as now, until by law otherwise provided or until classes, ranks and grades are established as provided by this act.

Section 10. Construction.—No law hereafter passed shall be construed to repeal or amend this act or any part thereof unless expressly so stated therein.

Section 11. Laws Repealed.—All acts and parts of acts inconsistent herewith are hereby repealed.

Section 12. This act shall take effect and be in force on and after August 1, 1915.

ATTORNEY'S OPINION.

St. Paul, Minn., December 2, 1914.

Mr. Charles P. Craig,
Chairman, Economy and Efficiency Commission,
St. Paul, Minn.

Dear Sir:—

I have examined the draft of the proposed Civil Administration Code and have checked it with General Statutes 1913. I am of opinion that it now covers all matters provided for by the Statutes which are intended to be covered and which are within the scope of the bill, and that it clearly expresses its intent. I write this after having seen the revise proof sheets which, I understand, contain the bill in its final form.

Yours very truly,

(Signed) FRANCIS B. TIFFANY.

GENERAL NOTES.

References.—All figures in parentheses are, unless otherwise indicated, references to sections in the General Statutes of 1913. References to the constitution are marked "Const." References to Title and Article refer to this bill.

Titles, Articles and Sections.—When the final form of the bill is fixed, it will be more convenient for reference to number the sections consecutively. While it is in the making, the rather cumbersome form used in this draft is hardly avoidable.

Nomenclature.—For the sake of uniformity the word "board" is used in every case for a permanent body. "Council" is used in two places for an informal group conference. "Commission" will be used perhaps to apply to special or temporary bodies.

"Bureau" is used, except in the two branches of the department of education and in one branch of the department of agriculture, to designate the administrative units. It is not intended to imply an elaborate organization or any organization beyond the necessity of each case.

"Commissioner" is used, with some exceptions, to designate the heads of administrative units. It does not imply exact equality nor uniform salary.

ANALYTICAL NOTES.

Title.—Compare title of "probate code," also "negotiable instruments."

Preamble.—While a preamble is not a part of the statute, it will be read by the courts as an expression of legislative intent.

TITLE I.—ORGANIZATION.

ARTICLE I.—GENERAL PROVISIONS.

Section 1. **Definition—Civil Administration.**

Section 2. **Officers and Departments.**—Every part of the civil administration is contained in or associated with one of the departments named in this section.

ARTICLE II.—GENERAL OFFICERS.

Section 1. **Public Examiner.**—The public examiner, heretofore an independent officer, is placed under the auditor.

Section 2. **Board of Civil Service.**

Section 3. **Commissioner of Civil Service.**

Section 4. **Board of Investment.**—This board, commonly known as the "little board of investment," is named in the constitution; the "big board," which this plan also displaces, is created by statute, and includes the attorney general and president of the board of regents.

Section 5. **Board of Taxation.**

ARTICLE III.—PUBLIC DOMAIN.

Section 1. **The Director.**

Section 2. **The Bureaus.**

Lands and Mines, now under the auditor.

Forestry, now under the forestry board, forester, auditor and timber board.

Game and Fish, now under the game and fish commission and its executive secretary.

Highways, now under highway commission and state engineer.

Drainage and Waters, now under the drainage commission and chief engineer.

Buildings and Purchases, buildings now under the board of control; printing now under state printing commission.

Section 3. **The Board.**

ARTICLE IV.—PUBLIC WELFARE.

Section 1. **The Director and Staff.**—The director and two assistants take the place of the chairman and two other members of the board of control.

Section 2. **Bureaus and Institutions.**—Health, now under an independent board; institutions as now.

Section 3. **The Boards.**

Board of Public Welfare, takes the place of the board of health and the boards of visitors.

Board of Sanatoriums, same as the present advisory commission.

Board of Parole, as now.

Section 4. **Soldiers' Home.**—As now, associated with the department for budget purposes.

ARTICLE V.—EDUCATION.

Section 1. **Governing Boards.**—Education is put under a form different from the branches conducting general business or exercising police powers.

Board of Education, in place of the department of public instruction, the normal board, the high school board and the library commission.

Board of Regents, as now, but reduced in number by dropping the ex-officio members.

Section 2. **The Superintendent of Education.**

Section 3. **The School System.**

Section 4. **The University.**—The present organization.

Section 5. **Affiliated Societies.**—These societies affiliated chiefly for budget purposes.

ARTICLE VI.—LABOR AND COMMERCE.

Section 1. **The Director.**

Section 2. **The Bureaus.**

Labor, constituted as at present with added functions (see page 30).

Banks, as at present.

Insurance, as at present.

Fire Marshal, now independent.

Standards, replaces food and dairy commissioner (in part), commissioner of weights and measures, surveyors general, and chief oil inspector.

Grain Inspection, now under the Railroad and Warehouse Commission and its chief inspector.

Section 3. **Board of Railroads and Warehouses.**

Railroad and Warehouse, constituted as now.

Grain Appeals, now appointed by the governor.

Section 4. **Board of Labor.**—Replaces arbitration and minimum wage boards.

ARTICLE VII.—AGRICULTURE.

Section 1. **The Director.**

Section 2. **The Bureaus.**

Dairies, now under dairy and food commissioner.

Animal Industry, now under the live stock sanitary board and its chief veterinarian and the stallion registration board.

Plant Industry, now under the state entomologist and the state apiarist.

Exhibits, now under the state agricultural society and its secretary.

Immigration, now under the immigration commission and commissioner.

Section 3. **The Board.**

TITLE II.—SELECTION OF OFFICERS AND EMPLOYES.

ARTICLE I.—ELECTIVE OFFICERS.

This article makes no change in existing law.

Section 1. **Names.**

Section 2. **Term of Office.**

ARTICLE II.—OFFICERS APPOINTED BY THE GOVERNOR.

Section 1. **Names.**—The governor will appoint only four directors of departments, members of the two governing educational boards, members of the several advisory boards, and the trustees of the soldiers' home.

Section 2. **Terms of Office.**—Directors of departments serve for the two years of the governor's administration, members of non-executive boards for six years with overlapping terms.

Section 3. **Removals.**—Directors of departments may be removed by the governor at will, members of boards only for misconduct or neglect of duty.

ARTICLE III.—OTHER OFFICERS AND EMPLOYES.

Sections 1-5. All officers and employes, except the elective officers, the directors and members of boards come under the merit system. The appointing officers are, besides the governor, the four directors, the elected officers and the two governing boards. Other boards have the appointing power for their own immediate staff only, as the board of taxation, civil service and railroads and warehouses. The appointing officer must in each case choose from candidates certified to him by the board of civil service and can make changes only on the recommendation of the chief officers under him.

Section 6. **Educational Appointments.**—Qualifications for teachers and research men are passed upon by the regents or the board of education.

Section 7. **Supervisors of State Fair.**—See page 39.

Section 8. **Unskilled Labor.**—Common labor requires no elaborate system of examinations; district and class lists may be established.

Section 9. **Examinations.**—Emphasis is placed on the practical character of the examinations. The best examination for a plumber might be to wipe a joint; the best examination of a chemist might be his diploma or his references.

Section 10. **Three Forms of Examination.**

Open competitive examinations, for all routine positions.

Limited competitive and non-competitive examinations may, in the discretion of the board, be held in case of a few positions or in case a promotion from the ranks is desirable.

Section 11. Limited Competition.

Private secretaries and confidential clerks; bureau chiefs and others in similar positions, usually exempt from examinations altogether.

Some positions—like insane hospital attendants—cannot always be filled by examinations.

The board may, in its discretion, authorize promotions through the ranks.

Section 12. Eligible Registers and Selections from Them.—Methods of determining ratings will be adopted by regulations of the board.

The first three names will be certified for appointment; giving the appointing officer a preference among the persons pronounced by the civil service board the best qualified.

The proviso which follows gives the board a further check against any attempt to manipulate appointments.

Section 13. Preliminary Qualifications.—Subject to regulation by the board. While preference should be given Minnesota residents, the exceptions to the rule have been found necessary to a workable plan.

Section 14. Temporary Appointments.—The experience of other states and the federal government shows the necessity of such a provision.

Section 15. Establishment of Classes, Ranks and Grades.—The terms "class," "rank" and "grade" are commonly understood in civil service practice. This section provides for an advance of \$5 or \$10 a month from time to time, as a reward of good service.

Section 16. Definition of Promotion.—Promotion in the limited sense of a small advance in pay without substantial change in position or duties, does not require action by the civil service commission.

Section 17. Method of Promotion.

Section 18. Changes in Class or Rank.—Promotion in the sense of advancement to new responsibilities or higher duties is subject to examination, either open to all persons or limited to persons already in the service (see section 11) as the board may deem best.

Section 19. Efficiency Ratings.—Found effective in the federal service and in other states.

Section 20. Transfers.—Within a department, in the discretion of the appointing officer; between departments, in the discretion of the board.

Section 21. Reinstatement.—The usual provision.

Section 22. Removals and Demotions.—The appointing officer has absolute power of removal, if recommended by the officer under whom the employe is working. Abuse of this power is checked by the general powers of investigation and criticism given to the civil service board. The board may require an officer to remove an employe who is inefficient on the evidence of his own superiors.

"Demotion," as defined by Webster and the Century dictionary, means the opposite of promotion.

Section 23. Payment of Salaries.—No salary may be paid to a person not properly appointed, as certified by the appointing officers, subject always to investigation by the board.

Section 24. Liability of Appointing Officers.

Section 25. Political Assessments.

Section 26. Interference with Operation of This Act.

TITLE III.—POWERS AND DUTIES.

SUB-TITLE I.—GENERAL PROVISIONS.

This subtitle contains provisions applicable to all branches of the administration, to avoid repeating the same provisions for each department and bureau.

ARTICLE I.—DISTRIBUTION OF POWERS.

Section 1. **The Governor.**—This points to the theory on which this bill is framed and makes more explicit the powers given in general terms by the constitution.

Section 2. **Powers of Appointing Officers.**—As enumerated in Title II., Article III. This gives them, under the governor, full authority.

Section 3. **Powers of Subordinates.**—All power is put in the hands of the man at the top to be exercised through employes. This provision gives the bureau chiefs powers now vested in inferior officers, such as "deputies," "inspectors," etc.

Section 4. **Powers of Boards.**—The board of education, the regents and the trustees of the soldiers' home are governing boards; the board of taxation, the board of civil service, the board of investment and the board of railroads and warehouses have very limited executive powers, afterwards defined. The five boards named in this section have no executive powers whatever. The state's business is conducted, the law is administered by executive officers. Their action may be modified in certain cases by the judgment of the board just as it is governed by acts of the legislature.

Section 5. **Non-Executive Powers of Boards.**—The scope of each board is confined to the field with which it is associated and is described in general terms in this section. Its power to determine matters and to make regulations is limited to cases where the general public is affected as distinguished from administrative regulations for the conduct of employes, and is granted only so far as it is distinctly specified in connection with each department or bureau.

Section 6. **Relation of Officers.**—In the exercise of its non-executive powers each board is independent of the executive. See Title II., Article II., Section 3.

Section 7. **Proceedings of Boards.**—While it is independent in action, the board may not adopt star chamber methods or proceed regardless of the executive officers.

Section 8. **Assignment of Duties.**—This is a safety clause. Every function has been assigned by this bill. In case of oversight or doubt, this section preserves the function and provides for its assignment. Read in connection with section 3 above.

Section 9. **Deputies.**—A director may, for example, call on a bureau chief to take charge of his department in his absence, or the place of a bureau chief may, in his absence, be temporarily filled by the director or the chief of another bureau or by an assistant, as may be most convenient. No deputy officers are established by this act. Each officer runs his own job when he is there.

Section 10. **Co-Operation.**—The first paragraph is merely good advice in the direction of economy and efficiency.

Paragraph 2 directly authorizes what has in some cases been done voluntarily. For example, inspectors of the dairy department now take care

of most of the inspection of machinery in creameries. Under the proposed organization, such co-operation should be much more frequent.

Paragraph 3 has similar import. For example, food or labor inspectors might report whether orders of the fire marshal had been complied with.

Paragraph 4 authorizes inter-departmental accounting. For example, the bureau of health, instead of hiring an engineer for some special purpose, might find it more economical to borrow one from the bureau of drainage and reimburse the drainage bureau for his time.

Paragraph 5.—If this direction is followed faithfully, the administration will have all the advantage of a central purchasing bureau without creating additional machinery.

ARTICLE II.—BONDS.

Section 1. **Of Whom Required.**—In many places in the law bonds are required and amounts are fixed. In other places the law is silent. This takes care of all cases where official bonds ought to be given.

Unless the legislature has acted, the appointing officer will virtually fix the amount of bonds of inferior officers and the board of investment, the amount of bonds of superior officers, the governor in each case issuing the order.

Section 2. **Approval.**—In present laws some bonds are approved by the governor, some by the treasurer, some by the secretary of state, some by the appointing officer. This provides a uniform rule conforming to prevailing usage.

Section 3. **Where Filed.**—The prevailing but not invariable rule under present laws.

ARTICLE III.—REPORTS.

Section 1. **Annual Reports.**—Every superior officer should make a formal annual report of his official transactions as distinguished from field reports or reports of special investigations or the special written reports which may be required under Article I. above. This article refers only to the formal reports.

Section 2. **State Year Book.**—While department and bureau reports are usually made, each complete in itself, there is no general summary now, such as this provides, containing the general facts that should be accessible to the average citizen.

Section 3. **Reports of the Legislature.**—All the major facts and the observations of the advisory boards should be laid before the legislature with as much detail from the bureaus as the legislature may consider profitable. By these provisions the multiplication of printed reports beyond any appreciable demand may be avoided.

Section 4. **Repeal.**

ARTICLE IV.—OATHS.

Section 1. **Of Whom Required.**—This makes a uniform rule.

Section 2. **Where Filed.**

ARTICLE V.—SEALS.

Section 1. Seals are in some cases authorized by law. This makes further detailed provision unnecessary.

ARTICLE VI.—FEES, ETC.

Section 1. **Fees.**—This points out, what is affirmed in the schedule, Title VI., Section 3, that no fees are repealed by this act; it also lays down general rules.

If the amount is fixed by law, it stands; the exceptions referred to are certain fees for examinations for licenses. If it is not fixed by law, the amount is to be fixed by the head of the department with the approval of his advisory board. These fees under the proposed bill will not be sources of revenue.

Section 2. **Charges.**—This refers to such matters as the examination of municipal corporations by the public examiner, or the special examination of insurance companies.

Section 3. **Sales.**—This refers to sales of binding twine, machinery, surplus products of state farms, discarded apparatus, etc. Land and timber are subject to other provisions.

Section 4. **Proceeds.**—This would supersede any allowances of fees to individuals, as boiler inspectors or surveyors general, or any indefinite appropriations giving bureaus the right to spend all they may take in. The exception referred to is the grain inspection fund (page 34). Special provisions as to the method of handling state fair funds during the "state fair period" are retained. Title III., Subtitle VI., Article V., Section 7.

SUB-TITLE II.—GENERAL OFFICERS.

ARTICLE I.—THE GOVERNOR.

This is merely a restatement of what is now and always has been the law. Compare Subtitle I., Article I., Section 1 preceding.

ARTICLE II.—THE SECRETARY OF STATE.

He will continue his present duties, except for examinations for auto drivers, etc., and membership in several ex-officio boards. This section also makes him to a reasonable degree a part of the civil administration.

ARTICLE III.—THE ATTORNEY GENERAL.

This is a statement of the present law. He is relieved of certain extraneous duties and membership in incongruous boards as will afterwards appear.

ARTICLE IV.—THE AUDITOR.

More extended statement is required by the fact that more rearrangement of the auditor's duties was necessary.

Section 1. **Powers and Duties.**—This is a statement of his present duties as auditor, adding that he must keep track of outstanding obligations as well as payments. Adding also the public examiner's function in relation to state accounting.

The exception refers to some of his duties as land commissioner and to his membership in many ex-officio boards.

See also under board of investment below.

Appraisal and sale of lands—because of a constitutional question this is left in the auditor's hands. For management of state lands, see bureau of lands and mines below.

Section 2. **Appropriations.**—This is existing law. The provision as to outstanding obligations is new.

Section 3. **Abstracts of Claims.**—This is existing law.

Sections 4 and 5. **Public Examiner.**—He becomes an employe of the auditor.

The powers will be vested in the auditor. The actual work will fall to the public examiner. The auditor is independent of the governor, but must furnish any information he may call for.

ARTICLE V.—BOARD OF TAXATION.

Section 1. **Organization.**—This is existing law.

Section 2. **Powers and Duties.**—This is existing law, except that it corrects some inconsistencies in making reports of gross earnings made to various officers and except that the administration of the inheritance tax law is transferred from the attorney general to the board of taxation.

Section 3. This is existing law.

ARTICLE VI.—BOARD OF CIVIL SERVICE.

Section 1. **Organization.**—This is a new branch of the administration.

Section 2. **Powers and Duties.**—This defines the general powers of the board. For particular duties, see Title II., Article III.

Section 3. **Powers of Commissioner.**—He will do all the routine work; the board will determine policies and general rules.

Section 4. **Assistance.**—Much of the work of rating papers can be done in this way without additional expense.

Section 5. **Boards Abolished.**—These two special boards are superseded.

ARTICLE VII.—THE TREASURER.

Section 1. **Powers and Duties.**—This is existing law.

Exception—See board of taxation, above.

ARTICLE VIII.—BOARD OF INVESTMENT.

Section 1. **Organization.**—This is the existing constitutional provision.

Section 2. **Powers and Duties.**—This is existing law except that the board of deposit now consists of the treasurer, secretary of state, auditor, attorney general and public examiner (superintendent of banks).

And except that the board of audit consists of the governor, secretary of state and attorney general.

The last paragraph is new matter.

Section 3. **Rate of Tax Levy.**—This duty is transferred from the auditor to the board of investment. The provision that it shall be calculated not to exceed the sum needed is new language.

SUB-TITLE III.—DEPARTMENT OF PUBLIC DOMAIN.

This assembles under one director functions now handled by six executive boards, two elected officials, and sundry other officers.

ARTICLE I.—THE DEPARTMENT.

Section 1. **Organization.**—This is new.

ARTICLE II.—BUREAU OF LANDS AND MINES.

By this article the care of state lands is transferred from the fiscal to the operating side of the executive department. Because a constitutional question has been raised, no change is made in the appraisal and sale. The commissioner will determine what lands shall be sold.

Section 1. **The Commissioner.**—This is a new office.

Section 2. **Powers and Duties.**—This transfers the entire care of lands and mines from the auditor to the new commissioner.

Section 3. **Public Lands.**—This is the language of the old laws with the exceptions noted.

Section 4. **Listing Lands.**—This duty is now with the auditor. Note the check given to the director.

Section 5. **Subdivision into Lots.**—No change in law; duty transferred from auditor to commissioner.

Section 6. **Appraisal and Sale.**—Subject to provisions of this act, refers to section 4 above.

Duly qualified employes, in place of the estimators now employed by the auditor.

New Appraisal—in case the lists should go stale.

Section 7. **Leases for Grazing.**—Calls attention to present law.

Section 8. **Timber on Lands.**—This embodies present law. The provision for determining which timber is merchantable and which is merely incidental is new.

Section 9. **Surveys, Maps, Plats.**—No change in laws; duty transferred from auditor.

Section 10. **Co-operation.**—Present law restated to agree with new distribution of duties.

ARTICLE III.—BUREAU OF FORESTRY.

Section 1. **The Commissioner.**—He replaces the state forester.

Section 2. **Powers and Duties.**—The forester's duties are taken over without change. The auditor's duties as manager of state timber are taken over without substantial change.

The four small state parks are added to Itasca Park now in the care of the forestry bureau.

Scaling state timber, for which surveyors general are now paid, to be done by the forestry employes as part of their work.

The attorney general's duty to negotiate for land in Itasca Park is transferred to the commissioner.

Section 3. **Powers of Director.**

(1) This is the power to transfer part of the appropriation to an emergency fund.

(2) This gives the director a check on the exercise of a power transferred from the forestry board to the commissioner.

(3) The director of public domain supersedes the timber board.

(a) This conforms to the rule that the attorney general is the chief legal officer of the administration.

(b) This gives the auditor an opportunity to use the check provided below.

Section 4. **Special Powers of Auditor.**

(1) This perpetuates the safeguard in existing law of an independent check. The routine estimate is transferred from the auditor to the commissioner. The ordinary approval of the list is transferred from the timber board to the commissioner's superior officer. The extraordinary check is transferred from the timber board to the state's chief checking officer. "Report to the auditor," instead of the governor as now.

(2) The scale now made by the surveyor general is to be made by the commissioner, who may of course order a rescale by his own employes. The demand for a rescale by the auditor is, under existing law, a check on another officer. This provision retains it as an independent check.

The provision repealed is without force where fees are no longer paid to the individual.

(3) This is merely a safety clause.

Section 5. Powers of Regents.—This refers to the university forest in Carlton County and to the rights of the forestry school in Itasca Park.

Section 6. Estimators and Scalers.—This retains existing law as to qualifications and provides that state employes may be assigned to this duty.

Section 7. Notice by Purchasers.—These notices must now be given to the auditor, the surveyor general and the forester. This section retains the equivalent checks.

Section 8. Procedure.—This preserves the present procedure, modified to correspond to the new alignment.

Section 9. Powers of Board.—General regulations are to be made by the board of public domain instead of the forestry board; executive orders are to be issued by the commissioner in place of the forester.

Section 10. Offices Abolished.—The timber board consists of the governor, auditor, attorney general and state forester.

ARTICLE IV.—BUREAU OF GAME AND FISH.

Section 1. The Commissioner.—He takes the place of the executive agent of the game and fish commission.

Section 2. Powers and Duties.—This transfers without change in law the duties of the executive agent and the commission.

The exception refers to sections 3 and 4 below.

Section 3. Powers of Director.—The commercial licenses are to be passed on by the director.

Section 4. Duties of the Board.—These are sublegislative powers provided by existing law.

Section 5. Offices Abolished.—See report Committee on Public Accounts, 1913 House Journal, p. 1151.

ARTICLE V.—BUREAU OF HIGHWAYS.

Section 1. The Commissioner.—He takes the place of the chief engineer of highways.

Section 2. Powers and Duties.—This transfers without change in law the powers of the present highway commission and the state engineer.

The exception refers to sections 4, 5 and 6 below.

Section 3. Powers of Director.—This conforms to the plan of relieving the governor of details.

Section 4. **Rules and Regulations.**—This is a sub-legislative power in the existing law, transferred to the board.

Section 5. **State Highway System.**—The highway commission must now consider the relation of any road to state or other roads. This duty is given to the commissioner subject to the approval of the director who must consult the board.

Section 6. **Approval of Director and Board.**—These duties involve sub-legislative discretion.

Section 7. **Appeals.**—This is a quasi judicial function.

Section 8. **Offices Abolished.**

ARTICLE VI.—DRAINAGE AND WATERS.

Section 1. **The Commissioner.**—He takes the place of the chief engineer of the drainage commission.

Section 2. **Powers and Duties.**—This transfers to the commissioner, without change in law, the powers of the commission and the engineer. The exception refers to sections 3 and 4 below.

Section 3. **Approval of Director.**—This gives the director control over expenditures and over the scale of operations.

Section 4. **Rules and Regulations.**—This transfers to the board the sub-legislative powers of the present drainage commission.

Section 5. **Notice.**—This notice is now given to the auditor who is also at present secretary of the drainage commission.

Section 6. **Records.**—The auditor is now secretary of the commission; this transfers the records to the bureau.

Section 7. **Offices Abolished.**—The state drainage commission consists of the governor, auditor and secretary of state.

ARTICLE VII.—BUREAU OF BUILDINGS AND PURCHASES.

Section 1. **The Commissioner.**—This is a new office.

Section 2. **Powers and Duties.**—This transfers to the commissioner the powers of the board of control as to buildings, and the powers of the state printing commission, relieves the governor of the care of the capitol, and centralizes the purchase of office supplies.

The proviso is existing law.

Section 3. **Improvements.**—This is the existing power of the board of control, broadened to include improvements of grounds. See report Committee on Public Accounts, House Journal 1913, p. 1327.

Section 4. **Printing and Purchases.**—This extends the present scope of the printing commission to cover "all" printing for the state. It is intended that each department shall pay for its own printing and that the appropriation for this office shall cover supervision only. See report Committee on Public Accounts, 1913 House Journal, p. 1245.

The provision as to purchases is elastic and is intended to apply primarily to office supplies. Purchase of fuel for all departments, unless other provision is made, will be left to the department of public welfare, now under the board of control.

The proviso points out other features of existing law that are retained.

The provision for keeping records, read in connection with the section on co-operation, subtitle III., article I., section 10 above, will standardize prices.

Section 5. Powers of Director.

- (1) This gives the director control of major expenditures.
- (2) This, under the board of control, is the existing law. The condition that the plans shall belong to the state is new.
- (3) This is existing law, transferred from board of control.

Section 6. Approval by Officers.—The existing law requires the board of control to "consult" and carry out the wishes of these officers "as far as practicable."

Section 7. Offices Abolished.—The state printing commission consists of the auditor, secretary of state and treasurer.

SUB-TITLE IV.—PUBLIC WELFARE.

ARTICLE I.—THE DEPARTMENT.

This continues in the department the institutions now under the board of control, except the schools for the deaf and blind, takes over full control of the state public school, and joins with the department for administrative purposes the present department of health.

Section 1. Organization.—This substitutes the director and two assistants for the triumvirate membership of the board of control.

Section 2. Field of Department.—This points out three lines of work—management of the institutions, general direction of the bureau of health and general supervision of charities and corrections.

The exceptions are noted in Article II., section 1 below, and in Article III. below.

Section 3. Offices Abolished.

ARTICLE II.—MANAGEMENT OF INSTITUTIONS.

Section 1. Powers and Duties.—This transfers to the director, within his defined field, all the powers and duties of the board of control and of the managers of the state public school.

As to exceptions, Section 5 tells the powers transferred to the board of public welfare, and Subtitle III., Article VII., refers to buildings.

Section 2. Assistant Directors.—This is a matter of executive discretion.

Section 3. Comptroller of Institutions.—The existing law provides for a purchasing agent but does not create the comptroller by name.

Section 4. Heads of Institutions.—This makes no change in existing law.

Section 5. Board of Public Welfare.

- (1) This is now a sub-legislative power of the board of control.
- (2) This is a provision for the protection of inmates, found in several forms in existing law.
- (3) This transfers visitorial powers in existing law.

ARTICLE III.—BOARD OF PAROLE.

Section 1. Organization.—This practically continues existing law, substituting an assistant director for the chairman of the board of control.

Section 2. Powers and Duties.

- (1) This makes no change in existing law.
- (2) This transfers a special power from the board of control to the board of parole.

The validity of 4067 has been disputed.

ARTICLE IV.—BUREAU OF HEALTH.

This does not affect the internal organization of the present department of health. It puts it under the administrative control of the director of public welfare, instead of under the board of health.

Section 1. The Commissioner.—He takes the place of the executive secretary of the board of health.

Section 2. Powers and Duties.—This transfers the powers of the department of health to the commissioner without other change in law. The exception refers to the powers given the board of public welfare and to the change in the licensing of embalmers.

Section 3. Rules and Regulations.—This is the sub-legislative power of the present board of health. It will be exercised mainly through the committee on public health provided for in Title I., Article IV.

Section 4. Quarantine.—This modifies existing law by authorizing the commissioner to issue a temporary order which can be made more permanent only by the board.

ARTICLE V.—BOARD OF SANATORIUMS.

Section 1. The Board.—This makes no change in existing law, except the change in name. Possible conflict of authority is eliminated by putting this board in the same department with the bureau of health.

Section 2. The Inspector.—This makes no change in existing law.

ARTICLE VI.—EMPLOYMENTS LICENSED BY PUBLIC WELFARE.

Section 1. Licensing by Director.—Embalmers are now licensed by the board of health, for registry purposes, the others by special boards. The duty is transferred to the director to avoid possible embarrassment to the commissioner of health.

Section 2. The Licenses.—The licenses will be issued by the director—routine work will be done by employes of the department, examinations conducted by special examiners.

Section 3. Examinations.

(1) This provides that examinations shall be conducted exactly as they are now except that the examiners will no longer constitute formally organized boards.

The proviso establishes a review of the result of a decision by the examiners but does not permit the director to overrule it.

Section 4. Without Examination.—This preserves a feature of existing law.

Section 5. Fees.

(1) This alters existing law. Fees that yield a surplus may be reduced. These fees are now usually expended by the examining boards.

(2) This repeals several provisions in existing law.

Section 6. Revocation.—This transfers to the director an existing power of the several boards. Appeal is permitted on the ground that this is a quasi-judicial function.

Section 7. Compensation.—This is fixed under existing law in some cases by the statutes and in some cases by the examining boards.

SUB-TITLE V.—DEPARTMENT OF EDUCATION.

Education is the one department in the civil administration placed under governing boards.

ARTICLE I.—THE SCHOOL SYSTEM.

This covers all that is done for education by the state except the university.

Section 1. The Board.—This is a new body unpaid. See Title I., Article V.

Section 2. Powers.—This gathers up, without other change in law, all the powers of the boards and officers named.

Section 3. Rules and Regulations.—This sums up the sub-legislative powers now vested in the superintendent of public instruction and the several boards.

Section 4. Powers of Superintendent.—Compare president of university.

ARTICLE II.—THE UNIVERSITY.

This makes no material change in existing law.

Section 1. The Board.—See Title I., Article V. The ex-officio members—governor, president of university and superintendent of public instruction—are taken away, otherwise no change.

Section 2. Powers of Board.—This makes no change in existing law except to consolidate farmers' institutes with agricultural extension work. The governing powers of the board of regents have been held to be constitutional.

Section 3. Duties of President.—Compare superintendent of education.

Section 4. Duties of Comptroller.—The existing law provides for a purchasing agent but does not create a comptroller, an office established by the regents.

Section 5. Model Creamery.—This is authorized by appropriation, now under the food and dairy commissioner.

Section 6. Offices Abolished.

ARTICLE III.—COUNCIL OF EDUCATION.

This is a new provision for an informal deliberative body, having no duty but to discuss common concerns.

Section 1. The Council.—It exists only as it is called together.

Section 2. Duties.—It must compare notes on any point raised by either board; it must consider the educational budget.

Section 3. Information.—This lays the foundation for the council's cognizance.

SUB-TITLE VI.—DEPARTMENT OF LABOR AND COMMERCE.

ARTICLE I.—THE DEPARTMENT.

This brings under one director for administrative purposes the several bureaus. It transfers executive duties from the railroad and warehouse board to the executive department and enlarges the quasi-judicial field of that board.

ARTICLE II.—BUREAU OF LABOR.

This does not affect the internal organization of the present department of labor and industries. It puts it under the director for general administrative purposes instead of under the governor.

Section 1. **The Commissioner.**—He continues the office of the present commissioner.

Section 2. **Powers and Duties.**—This is a summary of the present powers of the department in which no changes are made by this act, but adding boiler inspection, mine inspection and part of the duties of the hotel inspector.

Section 3. **Board of Labor.**—The character of the questions coming before this board calls for the peculiar representation indicated.

Section 4. **Powers of Board.**

(1) This marks out the field of its general powers.

(2) This transfers the power to make general regulations from the commissioner to the board.

(3) Power is transferred from the board of arbitration, no other change.

(4) This takes over the powers of the minimum wage commission without other change in law. Any executive duties incident to the minimum wage law go to the commissioner.

ARTICLE III.—BUREAU OF BANKS.

This retains the present department of banks, except that it is put under the director instead of the governor.

Section 1. **The Commissioner.**—Now the superintendent of banks.

Section 2. **Powers and Duties.**—This makes no change in law.

The custody of bonds of collection agencies is transferred to the bureau without other change in law.

ARTICLE IV.—BUREAU OF INSURANCE.

This retains the present department of insurance, joining with it the fire marshal's office, and putting the commissioner under the director instead of the governor.

Section 1. **The Commissioner.**—The present officer continued.

Section 2. **Powers and Duties.**—No change in existing law.

Section 3. **Fire Marshal.**—This puts the fire marshal for administrative purposes under the insurance commissioner instead of under the governor. It does not alter his present powers and duties. It consolidates the hotel inspector's office with his, carrying with it the hotel inspector's fire prevention duty; as to sanitary inspection, see bureau of labor. See report Committee on Public Accounts, House Journal 1913, p. 862.

Section 4. **Repeal.**—This is a clause authorizing the governor to increase the allowances for the office; it becomes inconsistent with section 5 below.

Section 5. **Expenses.**—This alters existing law. The proceeds of a special insurance tax are now at the disposal of the fire marshal's office.

Section 6. **Offices Abolished.**

ARTICLE V.—BUREAU OF STANDARDS.

This is a new administrative unit, having food and oil inspection and weights and measures as its foundation.

Section 1. **The Commissioner.**—He takes the place of the several existing officers.

Section 2. **Powers and Duties.**—This assembles, without otherwise changing the law, the duties of inspecting weights and measures, food, oil and various other commodities, and scaling logs.

The fees to be charged for various services are fixed mostly by law; otherwise as provided in Subtitle I., Article VI., above.

Section 3. **Rules and Regulations.**—These are sub-legislative provisions of existing law.

Section 4. **Mattresses.**—This duty is assigned to the group of inspectors that come nearest to the field.

Section 5. **Logs and Lumber.**—This abolishes obsolete districts and provides for the custody of records. For scaling of state timber, see Subtitle III., Article III., above. The law is not changed in substance.

Section 6. **Matches.**—Supervision of manufacture will naturally be done by the fire marshal; supervision of retail sale by the inspectors of this bureau.

Section 7. **Offices Abolished.**—Report Committee on Public Accounts, 1913 House Journal, p. 951.

Section 8. **Co-Operation.**—Inspection of dairy products sold at retail will be by the food inspectors.

ARTICLE VI.—BUREAU OF GRAIN INSPECTION.

This puts all the inspectors and weighers under the chief grain inspector, conforming to the usage established by the railroad and warehouse commission. It transfers the control of these routine duties from the body having quasi-judicial and sub-legislative power to the executive department. It makes no change in the body of the law.

Section 1. **The Chief Inspector.**—He continues the office of the present chief inspector.

Section 2. **Powers and Duties.**—This continues under the chief inspector the entire grain inspection business, and hay inspection and coal weighing with it, without other change in the law.

Section 3. **Form of Receipt.**—Amended to conform to section 1.

Section 4. **Duties of Board.**—These are the quasi-judicial and sub-legislative functions connected with the business of the bureau.

Section 5. **Appeals to Board.**—Same rule as section 4.

Section 6. **Boards of Grain Appeals.**—This retains the present boards, putting them under the board of railroads and warehouses instead of the governor, and making them wholly independent of the inspection department. See report of special house grain investigating committee 1913. Otherwise the law is not changed. The same boards, instead of the railroad and warehouse commission, will make grades for hay and straw.

Section 7. **Funds.**—On the ground that the expenses and receipts vary with the volume of business, the inspection fund is left independent of appropriations. It is intended that the department shall be self-sustaining and a surplus above a reasonable amount for working fund is not encouraged.

Section 8. **Fees.**—Fees are now established annually by the railroad and warehouse commission; this provides that they shall be established by the director with the approval of the board.

ARTICLE VII.—BOARD OF RAILROADS AND WAREHOUSES.

This enlarges the present field of the railroad and warehouse commission; it will deal with all matters of this department that may properly come before a board. It simplifies the scope by transferring to the bureaus the executive duties relating to grain inspection, weights and measures, etc.

Section 1. **The Board.**—This continues the railroad and warehouse commission as the board of railroads and warehouses and the board of commerce.

Section 2. **Powers and Duties.**—This makes no change in existing law. For exception, see Bureau of Standards, Article V., above, and Bureau of Grain Inspection, Article VI., above; also section 4 below.

Section 3. **Board of Commerce.**—This constitutes the board of railroads and warehouses the general advisory board to the department.

Section 4. **Track and Elevator Scales.**—The board retains the quasi-judicial power to order installation.

(1) The testing will be done by the bureau of standards.

(2) and (3) The weighing will be done by the state weighers under the chief grain inspector.

(4) This retains existing law, with modifications to conform to other provisions of this act. See Subtitle I., Article VI., above; also Article V. of this subtitle.

ARTICLE VIII.—EMPLOYMENTS LICENSED BY LABOR AND COMMERCE.

These provisions are substantially the same as those for occupations licensed by Public Welfare, Subtitle IV., Article VI., above. See page 59.

Section 1. **Licenses.**—Licenses of trades are assigned to the bureau of labor; licenses of accountants are assigned to the bureau of standards.

The law as to requirements stands; the examiners become informal groups, instead of regularly constituted boards.

Section 2. **The Licenses.**—This provides for their issue, without other change in the law.

Section 3. **Examination.**—This retains existing law.

The proviso is new to adapt the law to new conditions.

The second proviso is to supply the place of the boiler inspectors who are by this act abolished.

Section 4. **Without Examination.**—This preserves existing law.

Section 5. **Fees.**

(1) This alters existing law. It is intended that these fees shall not yield a surplus.

(2) This alters existing law.

Section 6. **Revocation.**—This retains existing law and transfers the power from the examining board to the commissioner.

Section 7. **Compensation.**—This alters existing law.

SUB-TITLE VII.—DEPARTMENT OF AGRICULTURE.

This assembles all the state's functions relating to agriculture, except the educational work.

ARTICLE I.—THE DEPARTMENT.

Section 1. **Organization.**—The department is new.

Section 2. **Powers and Duties of Director.**—No similar statement is made as to the other departments. See Subtitle I., Article I., Section 2, above.

Section 3. **Relation to University.**—This statement seems desirable in view of the close relation of the department to the agricultural college and the mingling of duties at present.

ARTICLE II.—BUREAU OF DAIRIES.

Section 1. **The Commissioner.**—He takes the place in part of the food and dairy commissioner.

Section 2. **Powers and Duties.**—This transfers to the commissioner so much of the field of the food and dairy commissioner as relates to dairies, without other change in the law.

Section 3. **Approval of Board.**—These are sub-legislative powers in existing law.

Offices Abolished—See Bureau of Standard, Subtitle VI., Article V., above.

ARTICLE III.—ANIMAL INDUSTRY.

This consolidates the duties of the live stock sanitary board and the stallion registration board and puts the executive officer who succeeds them under the director, instead of the governor in one case and an ex-officio body in the other.

Section 1. **The Commissioner.**—He takes the place of the executive secretary of the live stock sanitary board.

Section 2. **Powers and Duties.**—This transfers the powers of the two boards and makes no other change in the law.

The exception refers to sections 3 and 4 below.

Section 3. **Appeals.**—These are quasi-judicial powers in existing law.

Section 4. **The Board.**—These are sub-legislative powers in existing law.

Section 5. **Form of Certificates.**—This changes the wording to conform to this act.

Section 6. **Offices Abolished.**

ARTICLE IV.—DIVISION OF PLANT INDUSTRY.

This organization is so different in weight of duties from the other bureaus that a distinction in the title seems desirable.

Section 1. **The Chief Inspector.**—He will either be a new officer or will take the place of the state entomologist, who is now also a professor in the university.

Section 2. **Powers and Duties.**—This assembles the duties of the entomologist and the apiarist together with seed inspection.

If it is not found necessary to employ specialists the year round, exchange of services may be made with the agricultural college. See Co-Operation under Subtitle I., Article I., Section 10, above.

ARTICLE V.—BUREAU OF EXHIBITS.

This transfers the state fair management to the executive department, as qualified below, and adds to it the supervision of county and other exhibits having state aid.

Section 1. **The Commissioner.**—He takes the place of the secretary of the present state fair board.

Section 2. **Administration of the State Fair.**—This puts the director of agriculture in place of the state fair board with the commissioner in immediate charge.

Section 3. **Conduct of State Fair.**—This reserves to the state agricultural society such participation in the conduct of the fair as seems compatible with the responsibility of the department of agriculture.

Section 4. **Powers and Duties of Commissioner.**—This makes him under the director general manager of the state fair and gives him supervision of societies receiving state aid.

Section 5. **Powers of Director.**—This gives the director control over expenditures and brings to his notice all important transactions.

Section 6. **Co-Operation.**—This recognizes the peculiar interest of the public in the fair.

Section 7. **Finances.**—This will free the fair management from the perils of a rainy week or other vicissitudes, giving it a known sum to go on. It is presumed the legislature will continue to grant for fair purposes an amount equal to the probable receipts.

The provisions of law as to handling money during the "state fair period" are retained.

Section 8. **Powers of the Board of Agriculture.**—These are sub-legislative powers in existing law.

Section 9. **Powers Abolished.**—This makes the state agricultural society independent of the department of agriculture for all purposes implied in its name.

Section 10. **State Aid.**—This does not give the commissioner the power to alter the conditions of any appropriation made by the legislature. It requires him to see that they are complied with.

It virtually requires a report from him on any new applications for state aid.

The power of investigation by the public examiner (to be under the auditor) is not changed.

The power of the board of agriculture to make regulations is new. Unless the existing laws are changed this discretion is very narrow. The approval of the apportionment, which is now made by the auditor, furnishes a check on the commissioner.

ARTICLE VI.—BUREAU OF IMMIGRATION.

This puts the commissioner under the department, instead of the immigration commission—the governor, auditor, secretary of state and two other persons. There is no other change in the law. Under the director, close co-operation is implied both in the publicity work for the fair and in preparing exhibits for the bureau.

Section 1. **The Commissioner.**—He continues the office of the present immigration commissioner.

Section 2. **Powers and Duties.**—This makes no change in existing law.

Co-Operation—See Bureau of Lands and Mines, Subtitle III., Article II., Section 10, above.

ARTICLE VII.—OCCUPATIONS LICENSED BY AGRICULTURE.

Compare with Subtitle IV., Article VI., and Subtitle VI., Article VIII., above.

Section 1. **Licenses.**—This transfers to the commissioner of animal industries the duties of the veterinary examining board without other change in law.

Section 2. **The Licenses.**—This provides for the issue of licenses.

Section 3. **Examinations.**—This makes no change in the requirements, but makes the examiners an informal group instead of a formally constituted board.

Section 4. **Fees and Compensation.**—This alters existing law.

TITLE IV.—THE BUDGET.

This is new law. It provides, for the information of the legislature, for a digest of former appropriations, expenditures and current estimates, revised by the administration, together with data as to sources of revenue, etc.

ARTICLE I.—PREPARATION OF ESTIMATES.

Section 1. **Definitions.**—This tells what information shall be contained in the estimates and what shall constitute the budget.

Section 2. **By Whom Prepared.**—Bureau chiefs and other superior officers must prepare estimates. They may require estimates from subordinate officers in their discretion.

Section 3. **To Whom Submitted.**—This provides for assembling the estimates by department heads until they reach the governor.

Section 4. **Revision.**—This provides for a digest and pruning of the estimates by each department.

Section 5. **Duty of the Governor.**—This provides for a final digest and pruning and submission to the legislature.

ARTICLE II.—FORM AND CONTENTS.

Sections 1 and 2. These will make the estimates intelligible for comparison and analysis.

ARTICLE III.—ALLOTMENTS AND ACCOUNTING.

This will govern after appropriations are made.

Section 1. **Allotments.**—Appropriations may be in broader terms than the estimates. For example, an estimate may be: "For repairs—new roof, \$2,000; painting, \$500; new porch, \$250; renewing boilers, \$750; total for repairs, \$3,500." The corresponding appropriation might be: "For repairs, \$3,000." The allotment would then reduce or omit items from the estimate to correspond.

Section 2. **Accounting.**—This embodies existing law and practice as to appropriations. See Auditor, Title III., Subtitle II., Article IV. It requires similar accounts of allotments to be kept either by the auditor or by the department subject to his inspection, as may be most convenient.

TITLE V.—SALARIES.

This is based on existing law and on the general provisions of this act. It is intended to lay the foundation for systematizing the entire pay-roll.

Section 1. Salaries of Elective Officers.—This makes no change in existing law.

The salaries are now as follows:

Governor	\$7,000
Secretary of State.....	4,500
Auditor	4,600
Treasurer	4,500
Attorney General.....	4,800

Section 2. Salaries of Directors.—These are new officers, except as they succeed the superintendent of public instruction, and the chairman of the board of control.

Section 3. Salaries of Boards.—This makes no change in existing law. The new boards are to be unpaid.

Section 4. Salaries of Certain Other Officers.—This refers chiefly to commissioners of bureaus. Salaries now paid officers in positions approximately corresponding are as follows:

A-1. Commissioner of civil service.....
2. Public examiner.....	\$4,500
B-1. Commissioner of public lands.....
2. Commissioner of forestry.....	4,000
3. Commissioner of game and fish.....	2,500
4. Commissioner of highways.....	4,000
5. Commissioner of drainage.....	3,000
6. Commissioner of buildings and purchases.....
C-1. Assistant director of public welfare.....
(Members board of control, \$4,500)	
2. Assistant director of public welfare.....
3. Comptroller in department public welfare.....
(Purchasing agent, \$2,000)	
4. Commissioner of health.....	4,500
5. Inspector of sanatoriums.....	3,000
D-1. Comptroller for university.....	4,000
E-1. Commissioner of labor.....	3,000
2. Commissioner of banks.....	4,500
3. Commissioner of insurance.....	4,500
4. Fire marshal.....	3,000
5. Commissioner of standards.....
(Chief oil inspector, \$2,400; dairy and food commissioner, \$3,000; commissioner of weights and measures, \$3,000)	
6. Chief grain inspector.....	3,800
F-1. Commissioner of dairies.....
(Dairy and food commissioner, \$3,000)	
2. Commissioner of animal industry.....	3,000

3. Commissioner of plant industry.....
(State entomologist, salary as professor, \$3,200)
4. Commissioner of exhibits.....
(Secretary fair board, \$5,000)
5. Commissioner of immigration..... 3,000

The proviso indicates a promise of increased pay following good service.

For instance:

Salary	\$4,000
New employe (\$400 less).....	3,600
After three years \$200 less than standard).....	3,800
After five years.....	4,000

Section 5. **Salary of Employees.**—This covers all positions for which salaries are not fixed by the preceding sections. It contemplates classification of the service as provided in Title II., Article III., Section 14. For temporary provision, see Section 9 of Schedule.

Section 6. **Duplication Forbidden.**—This is the prevailing provision in existing law which is made comprehensive and more specific by this section. An employe may render services in two departments, but he can only be on the payroll in one place for a given time. See co-operation, Title III., subtitle V., Article I, Section 10.

TITLE VI.—SCHEDULE.

These provisions preserve rights and obligations accrued, retain the obligations and penalties of existing law and look to the continuity of the administration.

Section 1. **Rights Not Affected.**—This is a paraphrase of the language employed in the last revision of the statutes (R. L. 1905).

Section 2. **Transfer of Records and Equipment.**—This is for turning over all papers and property in the hands of officers who are superseded.

Section 3. **Obligations and Penalties.**—The first paragraph sums up what is repeatedly stated in various sections throughout this act, transferring powers and duties. It is introduced here for the sake of what follows:

The second paragraph retains under this act various provisions of existing law which impose specific duties on the public.

The third paragraph retains under this act various provisions of existing law which impose penalties for obstructing an officer in the performance of his duties or for disobeying an order lawfully issued and the like.

The fourth paragraph retains under the provisions of this act various provisions of existing law which impose penalties on state officers and employes for breach of duty.

Section 4. **Immunities and Rights.**—This retains under the provisions of this act any immunities or rights granted by existing law to persons in the civil administration.

Section 5. **Duty of the Public.**—This brings under the provisions of this act such matters as making reports or giving notices by local officers, corporations and others, required by existing law.

Section 6. **Laws Subordinate to This Act.**—This supersedes many provisions in existing law as to manner of appointment, method of removal, term of office, and the like.

Section 7. **Positions Abolished.**—This refers to many subordinate positions mentioned in existing law. Inferior officers will be established by executive order instead of by statute. The powers of all such officers are retained in the administration, either by special provision in each case or by general provision. See Title III., Subtitle I., Article I., Section 3. The titles will be according to ranks and classes, as for example, "Chief clerk," "assistant chemist," "inspector," and so forth.

Section 8. **Tenure of Office.**—This takes over bodily the present staff of the civil administration, subject to the reduction in numbers accompanying the reorganization. It is believed that there is no advantage in testing by examination the fitness of those who are now doing the work and that it would be only a hindrance to reappoint 3,000 employes now in the service.

The proviso is equivalent to an instruction by the legislature to practice economy; it may be enforced by the limits of the appropriations.

Section 9. **Temporary Salary Provision.**—This validates the present salary schedules until they can be revised.

Section 10. **Construction.**—Courts will give heed to legislative intent.

Section 11. **Laws Repealed.**—This is the usual formula.

Section 12. The beginning of the fiscal year is an appropriate time for the act to take effect.

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