

# Inaugural Message

—OF—

## Gov. J. A. A. Burnquist

—TO THE—

### Legislature of Minnesota

## 1917



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### Gentlemen of the Senate and House of Representatives:

Knowing most of you as well as I do, by reason of our past association, it is with especial pleasure that I greet the members of the Fortieth Legislature. When serving in this body, I learned to appreciate the freedom with which we, as legislators, consulted one another upon matters of legislation and I trust that, during the session which is now opening, we may at all times feel at liberty to confer with each other upon the business that we are here to transact. Believing that such business can be transacted most profitably by devoting this session to the analysis of our present civil administration, to the simplification of our existing laws and to the centralizing of the efforts of the Legislature upon those measures which you think most important, I desire, through this inaugural address, not to advocate the enactment of multitudinous new statutes, but to submit for your consideration only such propositions as are deemed to be of the greatest importance at the present time.

### TOPOGRAPHICAL SURVEY.

In 1909 the Legislature enacted a law through which it was intended to make possible "a topographical survey of the several water-sheds of the state for the purpose of securing data from which competent plans for a uniform system of drainage might be prepared," but succeeding Legislatures have not appropriated sufficient money to carry out the provisions of this act. Only about 8 per cent of the state has been covered. Our neighboring states are, in this matter, far ahead of us. North Dakota has covered 14 per

cent of her territory; Iowa 21 per cent; Wisconsin 21 per cent, and South Dakota 24 per cent. If this work is to be done, appropriations of a sufficient amount to do it will be necessary. If the state does its share it will be possible to secure the co-operation of the federal government through appropriations that have been provided by it for this particular purpose.

### **STATE DRAINAGE.**

Such a survey is necessary because of our unsatisfactory drainage situation. We have appropriated enormous amounts of money for the construction of drainage ditches, many of which have failed absolutely in the purpose for which they were intended. Through the methods we have heretofore pursued, some lands have been benefited, but the lands below those drained have, through such drainage, been flooded. We have, today, on our hands an action instituted by the state of North Dakota, and one by the state of South Dakota, in which each of said states alleged damages to its physical properties, by reason of the acts of Minnesota in the handling of drainage projects, in a sum exceeding \$1,000,000 and asks for the issuance of a permanent injunction against our state to prevent further damages and to restore the water course involved to its natural condition in addition to the other relief that is prayed for in their bills of complaint.

### **COUNTY AND JUDICIAL DITCHES.**

Much harm has also been done in the construction of county and judicial ditches in that the outlets have often proved inadequate to take care of the water drained into them. It is estimated that to date there has been expended for county and judicial drains in this state the sum of \$30,000,000. In thirteen southern counties there are now under construction sixty ditches at a cost of more than \$2,500,000. Within the next ten years it is believed that at least \$10,000,000 more will be spent in these same counties. Such expenditure in the locality referred to is but illustrative of what is being expended for a like purpose in other portions of the state. In connection with the existing system under which said drainage work is being done there is considerable cause for criticism and as a result thereof we hear many complaints against our present methods of petitioning for the establishment of ditches, of appraising the benefits and costs, and of releasing the bondsmen before the expiration of sufficient time for the proper testing of the drains.

## **NEED OF CENTRAL AUTHORITY.**

Our state drainage commission, as now constituted, does not have sufficient authority and is composed of state officials, who are so busy with matters pertaining to their own offices, that it is impossible for them to give to these matters, which require expert knowledge, the time that they demand. When the vast expenditure of money needed for drainage purposes and the inadequacy of our present system are taken into consideration, it would appear advisable to abolish the said commission and substitute therefor some qualified state authority to pass upon the construction of all drainage ditches and whose duty it should be to make a systematic and statewide study of the situation and thereby lay the foundation for the proper co-operation of the different portions of the state. This central authority should devote all of its time to the duties of the office, gathering sufficient data and information to enable it to pass intelligently upon the advisability of instituting drainage proceedings and to have submitted to it, for its approval, the plans for either local or state projects before the construction thereof is commenced.

## **SOIL SURVEY.**

Only six counties and part of another have been given a soil survey in this state. The federal government has been doing all of the work of this nature that has been done in Minnesota up to this date. If the two governments co-operated in making the survey much more could be accomplished. We need to determine for what crops Minnesota's soil can best be used. Before we go to the expense of draining hundreds of thousands of acres of state property we should know whether the peat lands constituting a large portion thereof are adapted to agriculture or to other useful purposes and thereby see to it that no money shall be expended for the drainage of said lands unless such drainage should be found profitable.

## **FORESTRY.**

We also need to know what lands should be set aside for forestry purposes under the constitutional amendment, adopted in 1914. At the present time the scarcity of paper and the great demand for pulp-wood are an example of the unlimited possibilities in connection with the forestry activities of the state. It is claimed by the state forestry board that if the land in Minnesota, that is properly adapted to forestry, were converted into normal state forest, said land would be a capital worth at least \$200,000,000 yielding an

annual net revenue of \$6,000,000. Before the commencement of such work it is apparent that the first step should be a soil survey and a classification of the state's public land.

It is estimated that the standing white pine in Minnesota is worth about \$25,000,000. During the past year there has been found what is known as "White Pine Blister Rust." The spread of this disease means the destruction of all future growth of white pine. Provision should be made for a survey to ascertain whether there are infections in localities other than those examined this year, with a view to the working out of measures for the purpose of checking this menace.

### **PUBLIC DOMAIN COMMISSION.**

We have, today, no adequate inventory of our resources and no department authorized to do what ought to be done to conserve and develop them. With 30,000,000 acres of land of this state remaining undeveloped, with its enormous iron deposits, with the unlimited water powers within its borders, with little or no information as to its topography, as to what particular sections of the state ought to be developed, as to what kinds of soil are to be found in the different communities, as to what drainage canals ought to be constructed to be of the greatest service for the present in connection with flood relief, in the furnishing of water power and in the reclamation of state lands, and of greatest service for the future in connection with water transportation and all the possibilities of development therein involved, not only for this state but for the whole Northwest, it is clear that we need a public domain commission. There should be a consolidation of as many boards, which deal with our public domain, as the Constitution will permit, with a qualified director, with bureaus co-operating with one another, and with officials devoting all of their time to the duties involved and equipped with technical and expert knowledge enabling them to give to the state the service which it is necessary for it to have for the proper handling and development of its resources. Such service cannot be procured unless the state boards are reorganized through the enactment of a law providing for a department of public domain along the lines suggested by the commission which was appointed by the Governor, the Lieutenant Governor and the Speaker of the House through the resolution passed by this body on April 21, 1915. A copy of the commission's valuable report, with which I trust every member of the Legislature will become familiar, is appended to this message.

## **UNNECESSARY BOARDS SHOULD BE ABOLISHED.**

Without going too much into detail in connection with a discussion of the reorganization of our civil administration, I wish to say that I am absolutely in accord with any change that will tend to eliminate unnecessary positions and needless boards. By reason of this fact every appointment that has heretofore been made by me has been made with the understanding that acceptance of the position is subject to any change that you, as legislators, may make, and some appointments have been delayed in order that legislation, tending to a reduction in the number of offices, might be facilitated and opposition to changes reduced to the minimum.

## **PUBLIC HEALTH.**

The development of the resources of the state is important, but the preservation of the health of our citizens is still more important. Last year we appropriated only \$74,000 to the State Public Health Department. While we appear to be willing to expend millions to take care of the mental and physical derelicts of the state, we spend very little to help eliminate the causes of their unfortunate condition. The modern revelations of scientific medicine are indicative of the opportunities of the state for the improvement of the health and the prolongation of the lives of its citizens. We, of this state, have not yet come to a full realization of what can be accomplished for the prevention of disease and the preservation of life for we have neglected in a large measure the opportunities that have come to us through the medical discoveries of the present time. The sum contributed by our state to its department of health last session meant an annual expenditure of only 3½ cents per capita. In spite of its low appropriation, Minnesota holds fourth place in efficiency, but it is impossible for our health department, with such small amount as is now given it, to make as rapid progress as it could do if more funds were made available for the advancement of public health. If necessary, less money should be appropriated to other departments in order that more money might be used for the purpose of preventing the spread of disease through the enforcement of proper health regulations and the necessary propagation of health education.

## **TUBERCULOSIS.**

The tuberculosis death rate in Minnesota in 1915 was 2,200. There are, at the present time, several counties anxious to build

hospitals if half of the cost were paid by the state as provided for in the bill passed in 1913, but the funds for such a purpose have been exhausted. During the two-year period prior to the date when the funds were exhausted, 32 counties applied for and qualified to receive state aid. On September 1, 1915, the state had facilities for taking care of 454 patients. During last year the number was increased to 875. The number that can now be taken care of in both public and private institutions is about 66 per cent of the number who annually die from this preventable disease. It is said that before the anti-tuberculosis work of Minnesota will have a decided effect upon the death rate the state must be in a position to accommodate as many consumptives as there are annual deaths from consumption.

### **COMMISSION ON PUBLIC HEALTH.**

Because of the apparent lack of interest in the matter of public health and on account of the failure on the part of the state boards to properly co-operate in their work, some weeks ago a commission was appointed by the Governor to devise ways and means of procuring harmonious efforts on the part of the different boards so that the public health work in general and the tuberculosis work in particular would not be hampered and retarded. The commission appointed has reported certain excellent recommendations of which the following are the most important:

1. The State Board of Health should be reorganized and made to consist of five instead of nine members.
2. The State Board of Health should be granted broad, general powers instead of specifying in detail in the law the limits of its duties and activities.
3. The Board of Health should be empowered to appoint a commissioner of public health.
4. The present advisory commission should be discontinued and its powers and duties transferred to a new division of the State Board of Health, to be headed by a man especially trained in tuberculosis work.
5. All existing state financed activities relating to public health should be organized under the State Board of Health.
6. Industrial hygiene should be transferred from the Department of Labor to the State Board of Health.
7. Larger appropriations for the state's public health service should be granted.

A copy of the full report of this commission is also appended

to this message and will, I trust, receive the careful consideration of the members of this body.

### **APPOINTING POWER.**

The reports of both the legislative commission on changes in our civil administration and the commission on public health agree in recommending that the present advisory commission be abolished, that the State Board of Health be made to consist of five, instead of nine members, and that a commissioner of health be appointed to have full authority over health matters. The two commissions, however, differ as to the method of appointing the commissioner of health. One favors the appointment by the Board of Health, and the other by the Governor. The question as to whether an appointment should be made by a board or by the Governor is not, in my opinion, very important if the Legislature gives to the appointing power sufficient authority, with reasonable limitations. When a position requiring technical training is involved the appointing power should have the right to remove the appointee and the power, with suitable safeguards, to adjust his salary. The length of the term of such an appointee should be indefinite and in all cases where it can be done the Legislature should prescribe as high qualifications as can reasonably be applied to those who are to be appointed.

### **WELFARE OF CHILDREN.**

Closely connected with the question of public health is that of the welfare of the child. This state has done much for its children through its charitable institutions. There is probably not more than one or two states that are ahead of Minnesota in this regard and yet by reason of inconsistencies and omissions in our present laws relating to children, it has been felt that the statutes pertaining thereto should be codified and revised. At the request of those interested in this matter, a commission has been appointed for the purpose of making a thorough study of the subject and subsequently reporting recommendations as to any changes that are needed. This commission was appointed in August of last year and a preliminary report, which shows the careful and comprehensive manner in which the work of the commission is being done, is appended to this address. The final recommendations will be incorporated in a bill to which the Legislature, it is to be hoped, will give the attention that the importance of the proposed measure deserves.

## **LABOR LEGISLATION.**

We have had, in the past, much enactment of law pertaining to the rights of property as compared with what we today call humanitarian legislation. It is only forty years ago since the passage of the first law involving the regulation of hours of labor. Such legislation was at that time regarded as extremely dangerous and when, thirty years ago, an attempt was made to keep children out of factories, such attitude was considered "a reckless interference with economic freedom." But changes are taking place and have taken place until today, all fair-minded men in public life believe in legislation tending to give adequate compensation for injuries sustained and to insure payment thereof, to secure the ample protection of lives, the decrease in the number of accidents, the improvement of all conditions under which men work, the shortening of their hours of labor to the lowest possible point, and to bring about as soon as possible that situation in which no man, who desires to work, shall be compelled to labor without receiving for his toil a sufficient amount in wages to enable him and his family to live in such a manner as to secure for them their full, fair share of the necessities and comforts of life.

## **INDUSTRIAL DISPUTES.**

There are times in this state as well as elsewhere when employes feel that they are not getting that to which they are entitled, either in wages or conditions of employment. As a result serious strikes take place. The state executive is then asked, not only to use the National Guard to prevent disorder and riot, but, although he is not authorized by law to do so, to attempt to settle such industrial controversies notwithstanding the fact that we have at the present time what is known as the State Board of Arbitration. The existing law upon this subject provides that when a majority of employes or their employers make application therefor, the said board "shall visit the locality, inquire into the dispute, hear and advise all parties interested," but the amount authorized to be paid the members of the board for such work is so small that it cannot be expected that they should leave their homes or places of labor or business to go to the locality involved for the purpose of making a thorough investigation of the matters in dispute. The Governor has no jurisdiction over the members of the board so as to compel them to act, nor has he any authority to subpoena witnesses for the purpose of acquiring knowledge as to the truth or falsity of the charges made by the strikers or their employers. If the Governor

is to be expected to act in these matters the present law should be so amended as to give him the power to appoint, for each particular strike, if in his opinion it is necessary to intervene, men who are familiar with the work in which the strikers are engaged and with the business to be investigated, or who, for some other reason, would be especially qualified to assist in adjusting labor conflicts. There should be no permanent board of arbitration, but whenever a strike is threatened the Governor should have the right, if the situation is sufficiently serious, to appoint three fair and impartial citizens, whose duty it should be to induce both sides to designate committees to represent them and thus try to get them to adjust, if possible, in a peaceable manner the differences that have arisen between employer and employe. It is not the intention that the men so appointed should be empowered to compel arbitration, if such a thing were possible, but to act as conciliators between the contending parties with full power to subpoena witnesses and to make a full investigation of the claims and demands of the strikers and of all the conditions surrounding their employment so as to procure definite and authoritative data upon which to act. No particular salary should be prescribed, but a fund should be set aside for the purpose of paying for the expenses of such investigation, and for the services of unprejudiced and reliable men in whom both sides could have confidence, for no others can be appointed if there is to be any hope of an amicable adjustment of the matters in dispute. The compensation of such conciliators, if any, should be fixed at the time of appointment. There are cases now where the Chief Justice, the Attorney General and the Governor determine the amount to be paid for certain services. These officials, or any others who might be named, could constitute a board for determining what amount should be paid in emergencies and how the proposed strike fund should be expended.

### **FAIR MARKETS.**

There has been, of late, considerable criticism of the methods now in vogue of the handling and marketing of grain. Wherever unfair conditions are shown to exist in the delivery to our markets of farm products and in the handling and inspection of the same at terminal points, the Legislature should, as far as possible, through legislation, eliminate such unfair conditions. The marketing of grain and produce is becoming more and more important. This matter deserves our most serious attention and if more just and better ways of transacting the business can be devised through legis-

lative enactment, the producers of this state are entitled to such legislation from this body. Any practical betterment or improvement, which can be suggested in the weighing and inspection of grain, should be encouraged and adopted.

### **CONSTITUTIONAL AMENDMENTS.**

During recent years certain proposed constitutional amendments, such as those pertaining to the prohibition of the sale of intoxicating liquors and to the granting of the rights of franchise to women, have been discussed in your legislative campaigns and have been up for consideration in this body. Under the constitution, you alone have the power to determine the question of their submission to the people. The executive is given neither the right to approve nor the power to veto your action in this regard. If, under such conditions, his opinion should be considered material, I wish to say that my past attitude on these questions is well known and, since becoming Governor, I have made no change in my position relative thereto.

### **RESPONSIBILITY FOR HIGH TAXES.**

To keep the state taxes as low as is consistent with state progress is, of course, desirable and to criticize state officials for the unjustifiable expenditure of public funds undoubtedly has a good effect in keeping down extravagant expenditures, but I am convinced that criticism of the state government in this respect is often based upon a misapprehension of the real facts for the share of taxes which go to the state for state purposes has always been very small compared with the taxes which go to the localities for local purposes. Of the total tax levy for 1915, less than one-eighth of the taxes paid, or about 11.8 per cent, went to the state. The rest of the levy was for local school purposes and expenses in connection with county, city, village and township affairs.

### **DIVISION OF TAXES.**

The total taxable valuation of all property in Minnesota for 1915 was \$1,492,000,000. The total tax levy for state and local purposes was \$53,055,180, of which only \$6,178,000 go to the state and the balance to localities. The amount disbursed for the same year by the state for local purposes will be approximately \$6,200,000. The state, therefore, pays back to the counties more than it collects from them and if school maintenance, which accounts for such a large portion of the money paid by the state to localities and road

building, which has with commendable foresight been made such an important part of state development and put Minnesota in a needed and prominent position from which she should not recede, but advance, were paid for by local taxes the state could pay its running expenses from indirect revenues such as the gross earning tax, the inheritance tax and others of like nature and the state tax levy could be entirely abolished.

### **TRUE ECONOMY.**

Although only a small share of the responsibility for a high tax rate can, by reason of the facts heretofore stated, be placed on the state government, no state official would on that account favor the extravagant expenditure of public money. We all believe in making the tax rate as low as possible, but at the same time we are more anxious to have the work of the state well done and its money well spent than to have the taxes unreasonably reduced for we all agree that too much economy is apt to result in the greatest extravagance and that the reasonable expenditure of money for valid purposes is often the truest economy. In state affairs as in private business the results accomplished and the dividends received determine the wisdom of the investment.

### **LEGISLATIVE APPROPRIATIONS.**

The last legislature appropriated less money than was appropriated during either of the two previous sessions. As a result the recent tax levy for the state revenue fund was fixed at one mill and the total state tax levy at 3.65 mills, which is the lowest since 1910, and this reduction was accomplished although the one mill road tax was added to the levy, which had not been done up to 1913. The appropriation from the revenue fund for the fiscal year from August 1, 1916, to July 31, 1917, is \$8,450,000. Of the amount appropriated by the last legislature for the fiscal year, the sum of \$2,365,000 was appropriated for state charitable and correctional institutions and constitutes 28 per cent of the total appropriations. The total sum appropriated from the revenue fund for educational purposes was \$3,656,000 and constitutes more than 43 per cent of the total appropriations for the fiscal year. This money is spent for university, normal school and agricultural education and for special aid to high, graded and rural schools. About 22 per cent of the total appropriations is for the legislative, judicial and executive departments. The legislators' salaries amount to the sum of nearly \$200,000 and the annual expenditures in the judicial depart-

ment is more than \$266,000. The sum of \$1,452,390 is appropriated to carry on the work done by the state officials and by the many different state departments. A sum of about \$500,000, constituting the remaining 6 per cent of the total appropriations, is expended for miscellaneous purposes such as the soldiers' home, the historical society and other public projects.

### **APPROPRIATIONS FOR CHARITABLE INSTITUTIONS.**

Minnesota takes much interest in caring for its unfortunates. It is, I believe, the only state in the Union extending aid to its prisoners. It was the first state to establish a hospital for crippled children. There are, today, more than 1,200 dependents in the public school at Owatonna. In the institutions for the deaf, the blind and the feeble-minded at Faribault there was, during last year, an attendance of nearly 1,900 and in the five state hospitals and asylums for the insane there was a population of more than 5,600. With the increase in the number of the state's inhabitants must come an increase in the number of its unfortunates and, therefore, if the present standard is to be maintained, new buildings for the inmates will from time to time be needed and larger appropriations for their maintenance will become necessary unless the members of this body can agree upon some plan whereby those, who are relatives of the inmates and are able to contribute to their support, can be made to do so through legislative enactment. You have the power to reduce the appropriations for charitable purposes if you deem it wise, but if, upon investigation, it is found that such a reduction will lower the high standard that Minnesota has established and make it impossible for the state to give its wards the care to which they are entitled, I believe that you will agree with me that such action by the Legislature would be neither wise nor economical.

### **APPROPRIATIONS FOR EDUCATIONAL INSTITUTIONS.**

The state has made great progress along educational lines. We boast of its many and varied educational activities. We feel the returns in the elevation of our citizenship, secured from expenditures for such purposes, repay many times over the amounts involved. We have, within our borders, a people who desire education. We fully realize that without our schools the loyalty of today to our state and to American institutions would be impossible. There are those who may believe it desirable to change the amounts of the money appropriated to particular departments or branches

of our educational system, giving more to some and less to others. There are citizens who, on account of the situation in some portions of the state, wisely advocate the establishment of more night schools for the purpose of giving adults, especially those of foreign descent, an opportunity to acquire at least an elementary education, to learn more of American institutions, and thus become more familiar with the purposes and ideals of American citizenship. There are many who express a desire that our educational system be reorganized along different lines and be made more efficient by paying larger salaries and securing more help, but we hear no one advocating a reduction in our educational standards by reducing expenditures to such an extent as to lower materially our tax rate for it is undoubtedly apparent to all that so great a decrease in the expenditures for educational purposes as would be necessary to substantially reduce taxation would ultimately mean such a large financial and moral loss to the state that no one who is interested in its development would care to recommend or attempt to justify such procedure on the part of this body.

#### **APPROPRIATIONS FOR ADMINISTRATIVE DEPARTMENTS.**

The state of Minnesota is a growing state. More and more is expected of its officials. No business institution would handle its business affairs in the manner in which a public institution, such as Minnesota, has handled hers. In some departments, on account of insufficient help, the work of the officials is necessarily delayed. There are some boards and offices that ought to be abolished, but there are others, such as the investment board, handling millions of dollars in securities without proper facilities and help for so doing, that are in need of greater appropriations to transact their business as it ought to be transacted. In litigation involving enormous amounts the state meets the opposition of men receiving high salaries with expert knowledge of the particular subjects of which they have made a specialty. If it pays private corporations to be in a position to acquire services of such men the Attorney General's office should be provided with sufficient funds so as to be able to acquire such additional assistance that may be needed from time to time. If the public examiner's office is to conduct efficiently all the examinations demanded of that department, larger appropriations for its work are necessary. The timber board has not sufficient authority or funds to properly safeguard the particular state resources, of which it has the management. It would be a very easy matter for the state, because of insufficient help in certain de-

partments, to lose hundreds of thousands of dollars in the management of its trust funds and in the care of its resources. It, therefore, appears that if the properties of Minnesota are to be properly handled and protected, although expenditures can be reduced in some departments, it is impossible to reduce the total expenditures of all the departments, which amount, as aforesaid, to nearly \$1,500,000. As this sum is less than one-fifth of the total annual legislative appropriations it is clear that even if a reduction in the cost of running the executive departments were made, such a reduction would scarcely have any effect on the tax rate, but if, on the other hand, the Legislature should not appropriate sufficient funds to secure efficient management, through the proper equipment of its boards with qualified men and enough money with which to do the work demanded of them, it would be possible in the long run for the state to sustain under such conditions enormous losses. Through the proposed reorganization of state departments it cannot be expected that you can lower to any considerable extent the direct cost of government, but the possibility of saving immense sums for the state indirectly through the adequate safeguarding of its resources and through the business like conduct of its affairs by the right kind of co-operation and co-ordination of its various boards and offices is so evident as to show, most clearly, the imperative need of legislation which will provide for such a rearrangement of our civil administration.

### **BUDGET SYSTEM.**

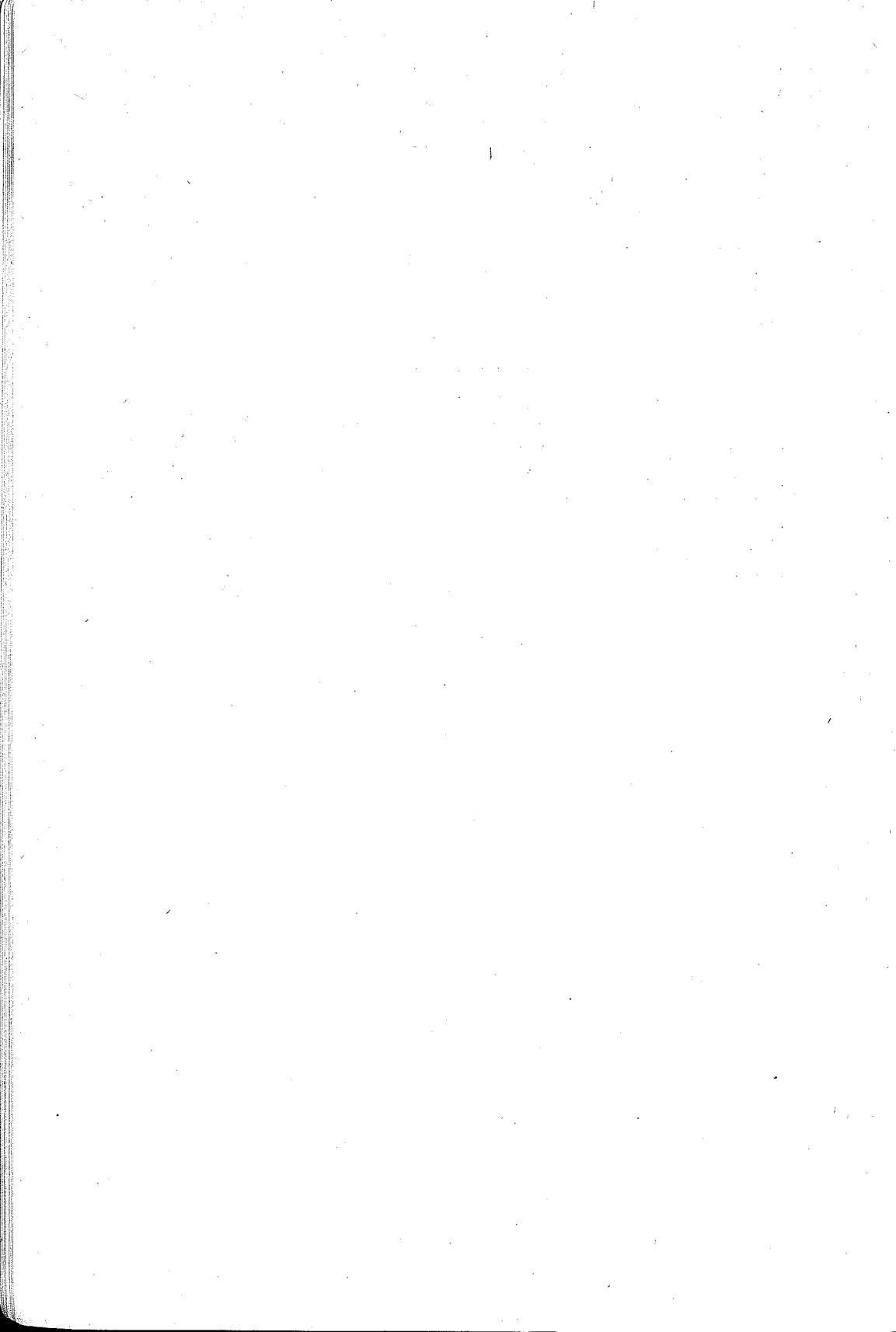
On or prior to the first day of next month I am required, under our present law, to submit to you the estimates for the next biennial period. You will then be in a position to know how much higher or lower than this year's expenditures the estimated expenditures for next year will be. This procedure has been made possible by reason of the enactment by the last Legislature of what is known as the budget system in appropriations. Under said law the Governor is required to prepare forms to be sent to all the different departments and to the different state officials with the request that the blanks therein be filled in for the purpose of getting information as to the exact amount of the appropriation that each department believes it will be necessary for it to have during the next biennial period and for what the amounts asked for shall be used. The legislature will, therefore, on February 1 of this year, be in possession of facts pertaining to these appropriations that it is now impossible for me to communicate to you and thereafter, when the

different departments and officials of the different state institutions have been heard upon the proposed budget to the extent that you may permit, it is for you to determine how much of a reduction, if any, should be made therein. No one would deny that it is the duty of us all to keep down the legislative appropriations during this session to the lowest possible point, but to reduce the proposed budget to such an extent as to cripple our institutions or to destroy their effectiveness for good would be neither efficiency nor economy. economy.

### **CONCLUSION.**

Succeeding to the governorship of Minnesota through the sudden and untimely death of one of its most able and scholarly citizens, I do not wish to terminate this inaugural address, delivered on the anniversary of his burial, without referring to my predecessor, Winfield Scott Hammond, a man of patriotism, culture and calm judgment.

In concluding this message, I would say that it shall be my desire at all times to co-operate with you in securing the enactment of such legislation as will be of benefit to the people of this state and of credit to the members of this Legislature.



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## APPENDIX

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**REPORT OF COMMISSION ON REORGANIZATION OF CIVIL ADMINIS-  
TRATION APPOINTED BY THE GOVERNOR, LIEUTENANT  
GOVERNOR AND SPEAKER OF THE HOUSE.**

To His Excellency, J. A. A. Burnquist, Governor of the State of Minnesota.

By resolution of the Legislature passed and approved April 21, 1915 provisions were made for the appointment of a Commission, to consist of eleven members: three to be appointed by the Governor, four by the Lieutenant Governor, and four by the Speaker of the House, for the purpose of investigating the advisability of making changes in the civil administration of the State, and for the further purpose of promoting more efficiency and economy in the various activities of the State.

Pursuant to the resolutions, the late Governor Winfield S. Hammond appointed Hon. Charles P. Craig, of Duluth; Hon. Lewis C. Spooner, of Morris; and Hon. Gunnar Bjornson, of Minnesota, to serve as members of such Commission. The Lieutenant Governor named Hon. F. A. Duxbury, of Caledonia; Hon. James A. Carley, of Plainview; Hon. J. A. Jackson, of St. Paul; and Hon. A. J. Rockne, of Zumbrota. The Speaker of the House appointed Hon. Thomas H. Girling, of Robbinsdale; Hon. C. H. Warner, of Aitkin; Hon. Thomas J. McGrath, of St. Paul; and Hon. Fred Bessette, of Orr. Hon. Charles P. Craig, of Duluth, declined the appointment, and thereupon the Governor appointed Hon. E. P. Peterson, of Litchfield, to serve in his place.

The members of the Commission were called together by the Governor and held their first meeting at the Governor's office on August 3, 1915. An organization was perfected whereby A. J. Rockne was made Chairman and Jessie E. Scott was made Secretary of the Commission.

By the terms of the resolution the Commission was required to report to Your Excellency not later than November 15, 1916, but on account of the press of private affairs of the members of the Commission it was impossible to complete the report within that time, and it is hoped that the report now submitted will serve all of the purposes intended by the resolution.

Pursuant, then, to such resolution, we beg to submit to Your Excellency a brief outline of the results that have been accomplished by this Commission, so that it may be by you transmitted to the Legislature in accordance with the terms of the resolution.

We have held many meetings, and have had much valuable assistance from your office, as well as from all other State departments, which have responded to every call that this Commission has made upon them. We also have been guided to a large extent by the report of the Commission appointed by His Excellency, Governor Adolph O. Eberhart, and the report of that Commission made to the Legislature of 1915. We have concluded to revise the recommendations made by that Commission and to limit our recommendations only to such departments of the State as in our opinion most need revision.

I.

After a thorough investigation with reference to the handling of the business activities of the State—or, rather, the handling of the property and mineral interests owned by the State—we are decidedly of the opinion that one of the matters that require the immediate attention of the Legislature is the forming of a department which shall carefully and systematically look after the land, timber and mining interests of the State. We are reliably informed that the State of Minnesota today is the owner of property interests of the value of more than one hundred million dollars, and these interests we believe should be placed in the hands of a department which shall carefully conserve and manage them from a business standpoint. We have no criticism to offer as to the past management of such interests, as we believe that they have been cared for as carefully and economically as might be expected under the circumstances, but, in view of their magnitude, we feel that it is absolutely necessary to look after them more thoroughly than has been done in the past.

With this object in view, we recommend a bill providing for a Department of Public Domain, which department shall take over the care and management of all the land, timber and mineral interests of the State, leaving in the hands of the State Auditor only the sale of State lands, as now provided by the Constitution. In this department we believe it is feasible to join many other State activities, such as the protection and propagation of game and fish, the management of drainage and waters, and the supervision of the building and maintaining of highways. We believe that all of these activities should come under the supervision of the Director of the Department of Public Domain, with a Bureau of Public Lands, Forests and Immigration, under the head of a Commissioner of Public Lands, Forests and Immigration; a Bureau of Mines, under a Commissioner of Mines; a Bureau of Game and Fish, under a Commissioner of Game and Fish; a Bureau of Drainage and Waters, under a Commissioner of Drainage; and a Bureau of Highways, under a Commissioner of Highways.

It is proposed by this bill that the Commissioner of Public Lands, Forests and Immigration shall have the custody and supervision of all public lands (except mines) and forests, 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 and forests are secured.

The Commissioner of Public Lands, Forests and Immigration shall inform himself as to the location, character, soil, native products, adaptability and value of all public lands, forests and timbers, and shall determine from time to time what lands shall be sold.

There shall also devolve upon the Commissioner of Public Lands, Forests and Immigration all powers and duties in relation to these matters now conferred by law upon the State Auditor in his capacity as Land Commissioner, and all powers and duties of the Reclamation Board, said Reclamation Board to be abolished. He also shall have charge of the Department of Immigration and take over all powers and duties now vested by law in the Commissioner of Immigration, and the Board of Immigration, as now constituted by law, shall be abolished.

It is further recommended that the said Commissioner of Public Lands, Forests and Immigration, subject to the approval of the Director of the Department of Public Domain, shall have all powers and perform all duties now delegated by law to the following officers and boards:

- (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.
- (d) All powers and duties of the Auditor (including those conferred on him in the capacity of Land Commissioner) insofar as they relate to the supervision of the State's property.
- (e) All powers and duties of the Surveyors General of logs and lumber.
- (f) All powers and duties of the Attorney General with reference to State parks.

(g) All timber cut on State lands; and that all activities now performed by the boards and officials just named shall be abolished.

It is further proposed that all mining interests of the State be placed under a Commissioner of Mines, and that such Commissioner, subject to the supervision of the Director of the Department of Public Domain, have full control of all of the State's mining interests. This proposition we believe to be vitally important. When it is considered that Minnesota as a state has larger interests in the shape of mines than any other state in the Union, it appears to us that these interests should be carefully guarded, and in order that this properly may be done, the Director of the Department of Public Domain and the Commissioner under him should be chargeable with the control and direction of all of these vast interests. As before stated, we intend no reflection upon any official or any department heretofore managing these interests, but we thoroughly believe that the present system is inadequate to handle them.

In connection with the mines and forests, it appears to us that the

Game and Fish Department could well be placed under the supervision and control of the Director of the Department of Public Domain. It is proposed that there shall be a Commissioner, who, under the supervision of the Director of the Department of Public Domain, shall have full charge of all of the State's present activities along the line of propagating and preserving our game and fish interests. We believe that much duplication of work could be dispensed with if the men in charge of the timber and other interests of the State could look after the game and fish interests while performing service in the other activities.

We further propose that the management of highways be placed under a Commissioner of Highways; and that he, under the supervision of the Director of the Department of Public Domain, shall perform all of the duties now performed by what is known as the Highway Commission. In this connection we might add that it has been and is the theory of this Commission that all non-paid Boards, so far as possible, should be abolished and the positions filled by men drawing salaries and giving their entire time and attention to the duties of their offices.

We further propose that the matter of drainage and waters be placed in charge of a Commissioner of Drainage, who, subject to the approval of the Director of the Department of Public Domain, shall have charge and supervision of 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. It is proposed that this Commissioner shall be a civil engineer and shall be a man of experience in matters of drainage, and that the State Drainage Commission, as now existing by law, shall be abolished. There probably is no State activity where so much money has been wasted as in the matter of State drainage. Each year the Legislature has been called upon to appropriate large sums of money to lengthen and deepen channels of rivers and drainage ditches which have proven to be inadequate to handle the water that has been drained into them, and it would appear to us that the matter at this time should be placed in the hands of a set of officers who will devote their entire time to it. We have been informed that the State now is involved in litigation with the State of North Dakota wherein that State is claiming damages from the State of Minnesota on account of our defective drainage system.

The foregoing synopsis of the proposed bill covers the main features thereof, and it is our recommendation that this matter should be submitted to the Legislature in a separate bill. This bill we have prepared and expect to have introduced early in the coming session.

## II.

One of the most delicate, as well as important, propositions we have had before us was to formulate a plan to revise the present management of the educational department of the State. Here as in other State activities we were confronted by a large number of non-salaried boards and commissions, which meet only at stated intervals and then delegate their work to one or two men. This policy we felt should not be continued; hence we propose that all matters relating to education and educational institutions (except the State University) should be handled by an Educational Commission, to consist of three (3) members, the Chairman of which should perform all the duties now prescribed by law to be performed by the Superintendent of Public Instruction.

This Commission we believe should be appointed by the Governor, and the members thereof should hold office for a term of six (6) years; so arranging the Board that one member shall hold office for two (2) years, one for four (4) years, and the other for six (6) years, and thereafter one member be appointed every two (2) years.

This Commission should have full charge of all of the State's educational institutions (except the State University) and perform all of the duties now performed by the State Normal Board, the State High School Board, the State Library Commission, and the Board of Directors of the Minnesota School for the Deaf and Blind, which Boards we propose to abolish. This recommendation, in a measure, complies with the recommen-

dations of the Commission provided for by the 1913 Legislature, but it does not go as far as did the recommendations of that Commission in the rearrangement of the educational systems in the counties or municipalities of the State. Our aim is to establish first a responsible head, believing that when that has been accomplished the details can be worked out later. In this matter we feel that it would be better not to attempt any radical change, but to make a start and leave the details for future attention.

### III.

We note that the former Commission concentrated a large number of State activities under one department, known as the Department of Public Welfare. The scheme proposed by that Commission meets with our approval to a large extent, but after a thorough investigation we have concluded that the matter of looking after our penal and charitable institutions is being so well handled by the present Board of Control that in our opinion no particular change need be recommended now, except that we believe that the Board of Control should be made the Purchasing Agent of the State; that the present laws should be amended so as to give the Board of Control the entire management and control of the State Capitol building, the matter of letting contracts for all of the State's printing (under, of course, a director to be attached to that department); and that all other purchases of the State be turned over to and handled by the Board of Control, under such assistants and agents as the Board might see fit to appoint for that purpose. The Board now does so much of the purchasing for the State that it would appear to us that all other supplies might as well be handled by it, thus dispensing with much conflict now existing in the various departments. This change contemplates that the Board of Control shall purchase all of the supplies for the State University, as well as for all other departments of the State. It might be noted that the Board of Control now purchases all of the coal used by the University, and that it attends to the letting of contracts for all buildings and other improvements, and this Commission feels that much saving could be made if all of the other supplies for this institution were to be handled by the Board of Control. No doubt it would be advisable for the Board to have a competent man in charge at all times at the University, so as to expedite the procuring of any supplies it might need, but we recommend that the man assigned to this duty should be an appointee of the Board of Control.

### IV

It is strongly urged by this Commission that there be created a State Bureau of Investments, to be under the State Board of Investment as now existing by law. The Bureau should have the supervision and general administration of the trust funds of the State, insofar as relate to the making of investigations of applications for loans, negotiation of new investments, collection of principal and interest, examination of security, examination of records of debtor municipalities, and all other clerical and statistical work relating to the trust funds of the State. Our trust funds are growing annually at a very rapid rate, and we believe that it is highly advisable to have at least one officer, with such assistants as may be required, to give his entire time to looking after these funds.

### V.

We further recommend that the State Advisory Commission be abolished, and that the present Board of Health be rearranged so that it will consist of five (5) instead of nine (9) members, all to be appointed by the Governor and hold office for a period of five (5) years; one member's term to expire each year. That the members of the Board receive no fixed salaries, but be paid a per diem wage, with expenses, when meeting as a Board of Health. The department we believe should be handled through a Commissioner of Public Health, to be appointed by the Governor, whose term of office should be three (3) years, or at the pleasure of the Governor. We recommend that his salary be placed at four thousand five hundred dollars (\$4,500) per annum, and that he be given full authority over all mat-

ters pertaining to public health, including a department to take charge of the tuberculosis sanatoria now operated by the State, and that he furnish such advice and direction to the county sanatoria as might be required from time to time. The present Advisory Commission has done much valuable work in its handling of tuberculosis in the State, but we believe that the matter now should be placed under one head, so as to prevent any possible friction from conflict of authority. We realize that this recommendation does not coincide with the report of the Commission appointed by Your Excellency a short time ago, in that we prescribe that the Commissioner of Health should be appointed by the Governor instead of by the Board of Health. The only reason ascribed by that Commission for the appointment of the Commissioner by the Board is that it would be more apt to keep the appointment out of politics. In this we do not concur. The object of this Commission has been, in the main, to restore to the Governor full responsibility for the acts and conduct of all of the departments, and we see no reason why this should not apply to the Board of Health as well as to every other department. We fully realize that the Commissioner of Public Health should be a man of large experience in matters pertaining to health, but we feel safe in saying that the Governor can be trusted to see to it that the appointment will be lodged with men of experience, and that as long as the service has been well performed the Commissioner will be retained.

#### VI.

We further propose and recommend that there be submitted to the people, at the next general election, a constitutional provision limiting the membership of the State Senate to fifty (50) and the membership of the House of Representatives not to exceed one hundred (100); such constitutional provision to become effective from and after January 1, 1923. We believe that this matter should be made a part of the Constitution, so as to prevent its being changed at each reapportionment of the Senatorial and Representative districts of the State, and we believe that economy and efficiency will be promoted thereby. Minnesota has a larger membership in its Senate and House of Representatives than any other state in the Union, and present conditions would seem to indicate that instead of the membership's being decreased by law, it will be increased each time reapportionment is attempted. This has been the experience in the past, and we feel safe in saying that it will continue unless prevented by a constitutional enactment.

#### VII.

It is further proposed and recommended that the coming session of the Legislature provide by law, as required by the Constitution, for the holding of a constitutional convention. We in our work constantly have found that systematic revision of the departments of State on strictly business principles cannot well be done under the present Constitution, and, in order to accomplish a complete revision and co-ordination, it is absolutely essential that the Constitution be changed. When the present Constitution was adopted the activities of the State were limited. Since its adoption the State has increased the scope of its activities more than four-fold, and it seems to us to be highly necessary that a complete revision of the Constitution be made, and this we believe best can be accomplished through a constitutional convention.

#### VIII.

It is further recommended that a law be passed requiring that all sums of money received by any officer, board, commission or department of the State, including the State University and the various departments thereof, as a fee, or in compensation, in whole or in part, for the issuance of any license, permit or certificate of authority, or for the performance of any act, or the rendering of any service, or for the grant of any privilege for which a fee or charge is made or received, and all sums of money received by any such officer, board or commission, from or on account of the sale of any personal property belonging to the State, shall be paid into the general revenue fund of the State, but that this law shall not apply to moneys re-

ceived by the State Agricultural Society; moneys received by the Board of Control in all of its activities; moneys received from the sale of personal property produced, manufactured or improved at the State Reformatory; moneys collected by the Attorney General for or on account of costs and disbursements taxed and allowed in favor of the State, or any officer or department thereof; and moneys given or bequeathed to the State or to any institution, board or commission, or to the income or increase of any property so given, bequeathed or devised.

The purpose of this law is to compel the payment into the State Treasury of all fees collected by all examining boards, and also the tuitions paid by students at any of the State's educational institutions, and that direct appropriations be made by the Legislature to provide for the maintenance of all of these institutions, boards and commissions.

## IX

We believe and recommend that the inspection, weighing and grading of grain should be made a separate department, to be handled by a chief grain inspector, who shall be appointed by the Governor, and vesting the authority of establishing grades in the present Grain Appeal Boards.

It is the opinion of this Commission that the Railroad and Warehouse Commission is overburdened with work; that the matter of weighing and inspection of grain is not, strictly speaking, a transportation problem, and that it does not properly belong to the work of the Railroad and Warehouse Commission. When we consider that it now has charge of the regulating of telephone rates, we feel that the Commission as at present constituted has all the work that it possibly can perform without supervising the weighing and inspection of grain.

There is considerable criticism among the people as to the methods of handling the grain in Minneapolis and Duluth, and we believe that much of this could be remedied by having the chief inspector appointed by the Governor and giving the Governor the authority to remove him at pleasure.

In the bill providing for the appointment of a chief grain inspector and for the appointment of the State Board of Education and the State Board of Health, it is proposed that the following provision be incorporated:

"Every officer or member of said Board and every officer or employee of any institution under its control who, by solicitation or otherwise, exerts his influence, directly or indirectly, to induce other officers or employees of the State, or other persons, to adopt his political views or to favor any particular person or candidate for office, or to contribute funds for campaign or political purposes, shall be removed from his office or position by the authority appointing him."

## X.

We recommend that the hotel inspection and oil inspection, as now constituted and carried on, be abolished, and that suitable legislation be enacted providing for the inspection of oils by the Dairy and Food Department, and that all laws now in existence with reference to the inspection of oils be enforced and handled by the Dairy and Food Department. We believe that one inspector in each senatorial district would be able to inspect the oils and make the inspections required by the Dairy and Food Department, and also look after the inspection of hotels. It is our purpose to retain the inspection of hotels, but we believe that much economy could be effected by having one person in each senatorial district attend to all of these inspections, thus saving the traveling throughout the state of a large force of inspectors residing at the capital of the State.

We further recommend that oils be tested at all places where they are sold to the consumer, as well as inspected in carload lots when shipped into the State or senatorial district. We believe that an inspector easily could be obtained at a salary of \$1,200 to \$1,500 a year, and that he would be able to make all the inspections now required by law with reference to oil, dairy and food products, creameries, and hotels.

The foregoing, in brief, is an outline of the results of the labors of this Commission. Separate bills have been prepared, and are ready to be introduced in the Legislature, covering the subjects set forth in this report.

As before stated, we have had much valuable assistance from all of the departments of the State, and from patriotic citizens who have responded to the calls made upon them by this Commission, and we have had much valuable aid from your office in the matter of getting out reports and preparing our bills.

Respectfully submitted,

A. J. ROCKNE,  
Chairman.

## REPORT OF COMMISSION ON PUBLIC HEALTH APPOINTED BY THE GOVERNOR.

To His Excellency, J. A. A. Burnquist, Governor of Minnesota.

Sir: The Commission appointed by you to recommend desirable legislation concerning public health submits the following report:

The Commission as a whole has held numerous hearings, and has also through committees investigated phases of public health work. Officials of the State Board of Health, the Advisory Commission, the Livestock Sanitary Board, the Dairy and Food Department, the Board of Control, the Department of Education, the Department of Labor have been consulted. A large number of individuals have been interviewed privately. The co-operation of the Public Health Committee of the Efficiency and Economy Commission and that of the Child Welfare Commission have been sought. Valuable documents have been accumulated and studied. Correspondence has been had with experts on public health and tuberculosis work in this and other states. The present laws on public health and tuberculosis have been carefully studied. The excellent report on public health conditions in this state made three years ago by Dr. Carroll Fox of the federal health service has been systematically reviewed in the light of present experience.

As the result of our investigation we offer the following recommendations:

1. The State Board of Health should be reorganized and made to consist of five in place of nine members.
2. The State Board of Health should be granted broad general powers, instead of specifying in detail in the law the limits of its duties and activities.
3. The Board of Health should be empowered to appoint a Commissioner of Public Health.
4. The present Advisory Commission should be discontinued and its powers and duties transferred to a new division of the State Board of Health, to be headed by a man especially trained in tuberculosis work.
5. Industrial Hygiene should be transferred from the Department of Labor to the State Board of Health.
6. All existing state financed activities relating to public health should be organized under the State Board of Health.
7. Larger appropriations for the State's public health service should be granted.

### DISCUSSION.

**Reorganization of the Board.**—The organization of the Board of Health should be radically changed. The number of members should be reduced to five. These members should be appointed by the Governor for terms of five years, the first members being so appointed that one member's term shall expire each year thereafter. The only qualification for membership should be citizenship in the state. The members of the Board should receive no salary but should be allowed their expenses.

This Commission, in agreement with many published expert opinions, believes in a small board. As at present organized it is often difficult to get a quorum of the Board. Interest and responsibility are minimized in a large board and fostered by a small one.

The present statute provides that the Board of Health shall be composed of experts in sanitation. This provision was satisfactory at the time of the adoption of the law. Its effect has been to provide a board composed almost exclusively of physicians. As time has gone on the differentiation between the physician in practice and the public health expert has steadily increased. Today public health work is a distinct profession. It is impossible to find members of a board of nine possessing in a strict sense the qualifications prescribed by the present law.

This Commission believes that it would be much better to have a board composed of responsible citizens from various walks of life. A broader viewpoint and broader interest would be secured. The people in general

would be less likely to look upon the rules of the Board as arbitrary and unreasonable requirements of the medical profession. Our recommendation is in harmony with the best modern ideas on this subject.

There is a close analogy between the work to be performed by the State Board of Health and that performed by the Board of Regents of the University and by the Normal School Board. Each board maintains an organization of scientific experts, with laboratory and other facilities for their work. But none of these boards does the scientific work itself. Each board performs a direct and vital service for the entire citizenship and especially for the future citizenship of the state. When the educational aspects of public health, (to be later considered more fully), are brought to mind, the analogy between the State Board of Health and the institutions of higher learning becomes still more striking. No one would think that the controlling boards of the educational institutions should be composed exclusively of teachers. Neither should the health board be composed exclusively of sanitarians.

**Grant of Power.**—The powers of the State Board of Health should be more broadly and simply defined than in the present law. Specification prevents the assumption of authority not specifically set down. This is dangerous in the changing and sometimes emergency conditions arising in public health administration. Dr. Bracken has called our attention to the inability of his organization to control labor and lumber camps. These are often conducted in such a manner as to be a menace to the health not only of the men engaged but of other people as well. Quite likely other conditions may arise over which the Board, under present authority, would have no jurisdiction. It is better in revising the statute not to go into details of jurisdiction; but if the Legislature believes otherwise, the sanitary control of camps should by all means be included in the specific jurisdiction of the State Board of Health.

**The Commissioner of Health.**—The Board of Health should have power to appoint and remove its executive officer and fix his salary; he should be known as the Commissioner of Health.

There are many arguments in favor of the appointment of the executive officer by the Board rather than by the Governor. The assurance of permanency of tenure is essential in order to secure high grade men in academic and scientific positions. Moreover permanency of organization is especially necessary in public health work where knowledge of conditions and experience in dealing with them are slowly accumulated and constitute the essence of efficient administration. In selecting a Commissioner the Board of Health should ransack the country and conduct a critical analysis of candidates in the same way that the Board of Regents would do in selecting a President for the University. They should select the right man and pay the salary necessary to secure him.

The Commissioner of Health should be a man trained in sanitary science and in public health administration. No restriction as to prior residence should be placed on his appointment. No term of appointment should be specified. He should not be a member of the Board. He should be charged with the supervision of all public health interests of the state and with the enforcement of the regulations adopted by the Board. He should not be permitted to have any other occupation. It should always be borne in mind that such Commissioner should not be, in the larger sense, an officer of the law, charged merely with the enforcement of regulations. He should rather be a general in the field facing new and unexpected emergencies and bringing to the warfare on disease the latest resources of science. He should be a man possessing the qualities of social leadership—a man of imagination combined with tact and common sense. Such a man cannot be selected from the ordinary list of available office seekers.

The same may be said in regard to the directors of divisions and most of the other employes of public health service. A narrowly local outlook or any political interference is as fatal to public health as it is to educational efficiency.

The tuberculosis situation has received especially careful consideration by this Commission. Almost without exception those whom we have heard

have declared that the present multiplicity of boards is bunglesome and full of possibilities for friction. The situation is not conducive to good administration. In this opinion your Commission unanimously concurs.

We believe that the Advisory Commission should be discontinued and the powers and duties of that Commission should be transferred to the State Board of Health under a properly organized Division of Tuberculosis.

We have carefully considered the social and political theory underlying the conduct of the county sanatoria. We believe it is strictly a public health function. It is true that it involves the curing of the individual patient. But so does the distribution of antitoxin and the administration of the Pasteur treatment for rabies. There are plenty of precedents for the administration of hospitals by public health organizations. The success of Col. Gorgas at Panama was largely due to the undivided authority placed in his hands, an authority which included the control of all the hospital activities of the canal zone. The federal health service conducts numerous hospitals. All that is necessary is to place the work under the immediate supervision of men expert in hospital management and the care of the sick. If the Board of Regents of the University can secure officials of as different accomplishments as professors of Greek, Agriculture and Medicine and can carry on such diverse activities as the manufacture of hog cholera serum, the instruction of lawyers and the conduct of a dispensary, surely the Board of Health could administer such closely allied functions as those which relate to tuberculosis and the other communicable diseases.

The Advisory Commission has done valuable pioneer service and has achieved substantially the larger part of the work for which it was created. It must be the aim and policy of any succeeding board to maintain the high standard in public service in connection with tuberculosis work which the Advisory Commission has outlined and fixed.

Your Commission is convinced that a Division of Tuberculosis in the State Board of Health, through a qualified director, could administer the state aid to county sanatoria, keep the institutions up to a proper standard, carry on educational propaganda, control the recalcitrant and dangerous consumptive and combine under one management all the intricate details of controlling this disease. We consider that this disease costs the State 2,200 lives and \$5,000,000 to \$10,000,000 annually, the desirability of unified action is apparent.

**Industrial Hygiene.**—The transfer of Industrial Hygiene and the reporting of industrial diseases from the Department of Labor to the State Board of Health has been recommended by the Department of Labor, by Dr. Bracken and by Dr. Fox of the United States Public Health Service. The Commission concurs in this recommendation. The change purposed would bring the responsibility where it naturally belongs, place the statistical information where it could be more readily used, and in general secure more effective results inasmuch as physicians are accustomed to deal with the Board of Health and not with the Department of Labor.

**Appropriations.**—Though the matter of appropriations is one of legislation, this Commission has not believed it to be its duty to make specific recommendations. However, we cannot too strongly urge more liberal appropriations for the Board of Health. In our opinion no money expended by the State brings better returns. The results are not seen by the ordinary observer in the daily current of life, but that they are there is readily demonstrable in the lowered death and sickness rates in those communities which have effective public health organizations. The shibboleth, "Health is a purchasable commodity" contains a large measure of truth. A starved health department means dead and disabled citizens.

The basis of health work—the compass by which it is directed—is vital statistics. Dr. Bracken informs us that even the inadequate records at present accumulating cannot be kept properly up to date on account of lack of help. Dr. Fox recommended \$10,000 yearly for this division. This surely is not too large.

Money for field workers and nurses is urgently needed. We favor for the present the employment of such officers, rather than district health

officers, as recommended by Dr. Fox. The arrangement is more flexible and permits the mobilizing of all the forces in strategic situations as these may arise. There should also be an emergency fund for such unforeseen situations as the recent epidemic of infantile paralysis. The expense of the Pasteur Institute could probably be cut down in the near future by the adoption of a safely established modification of Pasteur treatment.

Funds should be provided for **Child Welfare and School Hygiene**. The rural communities are far behind the cities in all matters of public health—in nothing more so than in infant care and in school health examination. The infant death rate in the country at large is greater than in some cities in spite of unfavorable crowding in the latter. Not counting the value of the lives lost that might be saved, every paralyzed survivor of poliomyelitis or diphtheria, every weakened victim of measles or scarlet fever, every baby blind from gonorrhea or constitutionally wrecked by syphilis is a first mortgage on the prosperity of the next generation. The State Board of Health has not been able to do any work for children on account of lack of appropriations.

The Board should have funds for **Educational Work**. The leading public health experts assert that education rather than police power is the most effective agent in the hands of a health organization. The teachers should be taught and through them the children. Parents should be reached so far as possible, and surely the younger generation should be taught before the blighting influence of wrong habits has rendered right living difficult if not impossible. Here is a great opportunity for co-operation with the education interests of the state. Exhibits, bulletins, lectures and demonstrations should be a constant part of the public health work. At present the Board can carry on none of these activities because it has no money.

#### GENERAL MATTERS.

In the course of its investigations your Commission has brought to its attention numerous matters which did not seem to demand legislation at this time but which, nevertheless, are believed to find place in this report for your information and consideration.

**The County Unit for Health Work.**—Investigations conducted in New York show that a large amount of money is spent by town and village health boards with very meager results. It is apparent (and Dr. Bracken substantiates this for our state), that the same amount spent through the county or other larger unit in the employment of a county or district health officer would give better results. Effective co-operation between the State Board of Health and county officers would be easier to secure than with the large number of officers in smaller political divisions. Moreover were the county the unit, a beginning might be made on a system of full-time county or district health officers paid in part by the state and under supervision and standardization by the State Board. Such a system would appear to be ideal for any fairly thickly-settled county, as it would provide school supervision, a better local control of tuberculosis and the other communicable diseases, and many other advantages that would come from having a health officer not engaged in the practice of medicine and not subject to narrow local influences. It would seem wise that the question of making the county or a definite number of population the health unit and abolishing the local boards be studied for possible future action on the part of the Legislature. Whenever this question is taken up the relation of such officers to the State Board of Health should receive earnest consideration. Dr. Bracken has made the cogent suggestion that local health officers be removable by the State Board.

**Education of Health Officers and Public Health Nurses.**—We believe it not only important, but fundamentally essential, if better health conditions are to be maintained, that steps be taken for the training of public health officers who are willing to give their full time to the service. An equally important if not greater need exists in connection with the education of public health nurses. The proper and in fact the only place where adequate training can be given in the state is in the State University, or under

its supervision and control. The University should work in close co-operation with the State Board of Health in this undertaking.

**Social Hygiene.**—The importance of the venereal diseases as a public health problem becomes increasingly apparent. When we say that gonorrhea and syphilis cause untold social and economic loss we are admitting our inability to obtain a reasonable estimate through reliable statistics. As has been stated vital and morbidity statistics are the basis of public health science. The above named diseases are communicable and logically should be reported and dealt with in the same manner as other communicable diseases. But the practical difficulties are very great. The experiment of New York City in requiring the reporting of these diseases without name should be watched, and every effort put forth to find methods of attack on these great scourges of mankind.

**Marriage and Divorce Records.**—Marriage and divorce records should be filed with the State Board of Health, as well as the reports regarding births and deaths.

**Dairy and Food Products.**—Milk is the one human food which in the light of present knowledge seems to have a prominent bearing in public health. Surely every citizen is entitled to know what kind of milk he is giving to his family. Fat and protein content are of slight importance compared with the lurking germ derived from the tuberculous cow, the typhoid carrying milker or the careless handler of this bacteria breeding commodity. The problem is a large one in which the health authorities should give their most careful attention in co-operation with the Dairy and Food Department and the Livestock Sanitary Board. The same is true in less degree of other food products.

Respectfully submitted,

E. P. LYON, Chairman,  
LOUIS B. WILSON,  
W. F. HOUK,  
O. I. S. BEEBE,  
A. L. LAIRD,  
L. E. POTTER,  
C. G. SCHULZ,  
I. J. MURPHY.

Dated December 1, 1916.

REPORT OF MINNESOTA CHILD WELFARE COMMISSION APPOINTED  
BY THE GOVERNOR TO REVISE AND CODIFY THE LAWS OF  
MINNESOTA RELATING TO CHILDREN.

December 18, 1916

To His Excellency, J. A. A. Burnquist, Governor of Minnesota.

Sir: I have the honor to transmit herewith a preliminary report of the Child Welfare Commission.

Sincerely yours,

E. F. WAITE, Chairman,  
Minnesota Child Welfare Commission.

The Child Welfare Commission appointed by you on August 15th of this year, to revise and codify the laws of Minnesota relating to children, has addressed itself to the appointed task for the past four months. By reason of the complexity and expanse of the undertaking, a final report is not ready at this time, but the general results of our investigation have crystallized sufficiently to permit of outline in a tentative way. The suggestions contained herein are not, of course, final and do not represent ultimate conclusions, nor does this report attempt to cover the entire field of our investigation either in the large or as to matters of detail.

As you are aware, the Commission is a purely voluntary one. Such expense as has been incurred is being met by subscription among interested persons. The amount subscribed now totals about fifteen hundred dollars with the expectation of and need for a still larger amount.

To limit the field of study within workable bounds, the Commission early determined upon a general outline of investigation. This outline groups the problems relating to children under four sub-heads:

First, the problem of the delinquent child; second, of the dependent child; third, of the defective child; and fourth, the problem of general child welfare, under which heading are grouped questions of supreme importance but of such a heterogeneous character as not to be readily classified in any more specific way. With this grouping of subjects as a guide, the laws of other states have been scrutinized for suggestion. A considerable library of books and pamphlets bearing on the field of study has been collected. Well-known authorities in child helping work throughout the country have been consulted in person, others by correspondence. Social workers, state officials and other persons with expert knowledge and experience in this field within our own state have offered much that is wise and helpful, and the public generally has expressed its views in a series of public hearings which the Commission has held from time to time.

In its efforts to draft legislation, the Commission has been guided by the well-established principle of humanity, that the state as sovereign is the ultimate guardian of all its subjects who are incapable of competing successfully for a livelihood with normal people and under normal conditions. The child is conspicuously of that class for whose welfare the state is charged with a sacred responsibility, not only that the child may be protected for its own sake, but that the state may conserve the strength and vitality of its future citizenship.

The obligation of the state towards its children is three-fold. It should provide for every child (1) a fair chance to begin life sound in mind and body and with two responsible parents; (2) a reasonable opportunity for development appropriate to its natural capacity in body, mind and morals; (3) the greatest practicable relief from the permanent consequences of his wrongdoing and corrective restraint of his anti-social tendencies.

I. First, as to a fair chance to begin life without physical and mental handicaps and with the responsibility of two parents. This problem focuses at once upon the marriage relation. Without some effective regulation of marriage, the child cannot be adequately protected; yet, the whole subject raises questions of disheartening perplexity. The operation of the more recent laws of other states has not as yet proved their wisdom and there is little of use as a valuable guide at this time. It would seem wise to add to the present prohibitions against marriage, i. e., epilepsy, feeble-

mindfulness or insanity in either of the persons, a further bar in case of the existence of a communicable disease.

There should be a substantial period of delay between the application for a license and its issuance and such application should be given publicity. Thus, anyone with a well-founded legal objection to the marriage may be heard, and the delay may also discourage hasty and ill judged unions.

But it would, perhaps, be well to provide for the immediate issuance of a license in cases of special urgency or on good cause shown.

Both parties to the proposed marriage should be examined by the officer issuing the license, instead of limiting the examination to the person applying for the license, as is the case under the existing law.

Our state has not made an intelligent effort to prevent the propagation of the feeble-minded nor to provide adequately for their care and supervision. It is estimated by persons who should know that there are in Minnesota some ten thousand mentally deficient. Experts agree that this deficiency is readily inheritable and that the feeble-minded produce more rapidly than do normal persons. It is regarded as imperative that some steps be taken to prevent the alarming increase of children born into the world with this tragic handicap.

The state should be concerned also in the crime, degeneracy and social waste, which indifference to this problem continues to foster. The School for the Feeble-Minded at Faribault has accommodations for about sixteen hundred and there is a waiting list of some three hundred. Our legislature should appropriate sufficient sums to greatly increase the state custodial facilities for the care of the feeble-minded in order that larger numbers of them may be properly cared for, segregated and restrained from reproducing their kind.

It is suggested further that legislation be enacted providing, under proper safeguards, for the compulsory commitment of the feeble-minded to custodial care, regardless of the assent of the parent or guardian, which is necessary under our existing law. The state should avail itself of the right to enforce segregation where the welfare of the individual and the community are at stake.

The subject of infant blindness is one of immediate importance. The disease known as ophthalmia neonatorum causes the loss of sight in large numbers of cases. This infection is communicated at birth but may be entirely eradicated by the use of a simple prophylactic. It is suggested that the powers of the State Board of Health be so amplified as to give that Board undoubted authority to require the use of a proper prophylactic on the eyes of the newly born.

The ravages of venereal disease constitute an ancient scourge, which even modern civilization has not effectively grappled with. The child of infected parents may sometimes be born sound, but there are terrible possibilities of unsoundness. Unfortunately this grave problem is full of practical difficulties. There is need of a quickening of the public sense to a full realization of wise reform. The medical profession must purge itself of certain hesitations and give sincere co-operation. In formation of an accurate and comprehensive nature, dealing with the prevalence and spread of venereal disease is a vital necessity. Probably the best results may be achieved by giving the State Board of Health express authority in the regulation and control of venereal disease.

It is but commonplace to suggest that the dignity and sanctity of the legitimate marriage relation should be protected, but it must not be forgotten that the child born out of wedlock comes into the world innocent of fault or wrongdoing. He is an unoffending and helpless human being. The conventionalities of society must not impose hardships upon him. Justice and humanity demand that he given every opportunity for normal growth and development. Because of the manner of his coming, he should be a special object of the state's solicitude. Legislation is suggested, which

would provide that the adjudged father of a child born out of wedlock be held to the same degree of responsibility for the care, nurture and education of such a child, as would be the case were the child legitimate.

II. Considering now the second general principle, that the state must secure to all children a chance for normal and healthy development in body, mind and morals, the attention is immediately drawn to the question of child labor. The substance of our statutes relating to that subject is satisfactory in the main, but the laws themselves are confused and unrelated. They are in need of condensation and orderly rearrangement. In one respect, however, there is an outstanding deficiency. This state has no public regulation of street trades.

Newsboys and children engaging in the sale of periodicals or other articles in the larger cities, are without control of any kind. They mingle freely with masses of people. They work and loiter about questionable places. Their hours are late and sometimes long. The nervous strain of their employment in many cases is harmful. It is always possible that this combination of unfavorable conditions will result in the deterioration of health and morals. The passage of a proper street trade bill would provide adequate supervision for the small merchants in the public highways.

The law relating to abandonment and desertion should be amended, making it a felony to abandon a child under fourteen years of age, or under sixteen years, if the child is unable to support himself. Our present law places the age limit of the child at ten. Since in many cases it is difficult to establish the attempt to abandon, the suggestion is made that desertion for six months be presumptive evidence of such intention.

It is of tremendous importance to the future well-being of a child who is placed out or adopted, that the family to which he goes should be thoroughly competent to provide for his training and education. The state has a positive duty in the premises and should actively supervise such matters. Proper restrictions and safeguards should be thrown about placing-out and adoption proceedings to the end that the child may not be taken from an indifferent or bad environment and put in a worse.

The state should co-operate more effectively and more efficiently with the work which is being done in the various well-managed maternity hospitals. Lying-in places and baby farms are oftentimes subject to grave abuses and public regulation is essential.

III. The problem of delinquency is most intimately concerned with the juvenile court law. That law passed in 1905 has served its purposes fairly well, but like every piece of live legislation amendments are necessary if it is to operate effectively. The Commission is studying the whole subject thoroughly with a view to making such revisions and additions as may seem wise. The probate courts which administer the juvenile court law in rural counties are not provided with adequate machinery. This and other matters will receive further attention.

Throughout this investigation and study your Commission has been most earnestly impressed with the importance and complexity of the entire child problem. Every aspect of our industrial, commercial and social life in some measure reacts upon his well-being. The solemn duty of the state has been here but briefly outlined. It is an obligation of large burden and infinite detail. The state of Minnesota has not adequately assumed this burden. Various departments of our government perform functions relating to children, but these are incidental and unrelated. The progress of our civilization demands that social problems be met in a thorough, comprehensive, scientific way. No program for the betterment of children can be successful or effective unless the state realizes its responsibility by having an official bureau or department charged with the administration of the public functions relating to children.

Your Commission is of opinion that it would be well to create a bureau in the State Board of Control for this purpose. This bureau would have at its head a person of long social training and large vision. There should be in each county local boards of child welfare which could deal intimately

with the problems of the community and which would be under the supervision of the State Board of Control in order that there may be unity of effort and standardized efficiency. The state's duty of ultimate guardianship is a sacred matter to be dealt with only according to standards of the most enlightened civilization.

Your Commission is diligently at work seeking to put its views into the form of proposed legislation and hopes to be able to submit a final report to you not later than the middle of January.